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HANSARD'S

PARLIAMENTARY DEBATES.

THIRD SERIES.

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

26° VICTORIÆ, 1863.

VOL. CLXIX.

COMPRISING THE PERIOD FROM

THE FIFTH DAY OF FEBRUARY, 1863,

TO

THE TWENTY-SIXTH DAY OF MARCH 1863.

First Volume of the Session.

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TO

VOLUME CLXIX.

THIRD SERIES.

BEING ALSO AN ABSTRACT OF THE LORDS' "MINUTES OF PROCEEDINGS," AND THE COMMONS' "VOTES AND PROCEEDINGS," IN RELATION TO THE PUBLIC BUSINESS OF THE SESSION.

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His Royal Highness Albert Edward, The Prince of the United Kingdom of Great Britain and Ireland, having been created Prince of Wales and Earl of Chester, was introduced (with much ceremonial), and standing at the Table, the Letters Patent and Writ were read by the Clerk of the Parliaments, and His Royal Highness took and subscribed the Oath; after which His Royal Highness was conducted to his Chair on the right hand of the Throne 1

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"HER Majesty commands us to inform you that since you were last assembled She has declared Her Consent to a Marriage between His Royal Highness The Prince of *Wales* and Her Royal Highness The Princess *Alexandra*, Daughter of Prince *Christian* of *Denmark*; and Her Majesty has concluded thereupon a Treaty with The King of *Denmark*, which will be laid before you.

"THE constant Proofs which Her Majesty has received of your Attachment to Her Person and Family persuade Her that you will participate in Her Sentiments on an Event so interesting to Her Majesty, and which, with the Blessing of God, will, She trusts, prove so conducive to the Happiness of Her Family, and to the Welfare of Her People.

"HER Majesty doubts not that you will enable Her to make Provision for such an Establishment as you may think suitable to the Rank and Dignity of the Heir Apparent to the Crown of these Realms.

"A REVOLUTION having taken place in *Greece*, by which the Throne of that Kingdom has become vacant, the *Greek* Nation have expressed the strongest Desire that Her Majesty's Son, Prince *Alfred*, should accept the *Greek* Crown. This unsolicited and spontaneous Manifestation of Goodwill towards Her Majesty and

Speech of the Lords Commissioners—*continued.*

Her Family, and of a due Appreciation of the Benefits conferred by the Principles and Practice of the *British* Constitution, could not fail to be highly gratifying, and has been deeply felt by Her Majesty.

"But the Diplomatic Engagements of Her Majesty's Crown, together with other weighty Considerations, have prevented Her Majesty from yielding to this general Wish of the *Greek* Nation.

"Her Majesty trusts, however, that the same Principles of Choice which led the *Greek* Nation to direct their Thoughts, in the first instance, towards His Royal Highness Prince *Alfred*, may guide them to the Selection of a Sovereign under whose Sway the Kingdom of *Greece* may enjoy the Blessings of internal Prosperity and of peaceful Relations with other States; and if in such a State of Things the Republic of the Seven Islands should declare a deliberate Wish to be united to the Kingdom of *Greece*, Her Majesty would be prepared to take such Steps as may be necessary for the Revision of the Treaty of *November* 1815, by which that Republic was reconstituted and was placed under the Protection of the *British* Crown.

"Her Majesty's Relations with Foreign Powers continue to be friendly and satisfactory.

"Her Majesty has abstained from taking any Step with a view to induce a Cessation of the Conflict between the contending Parties in the *North American* States, because it has not yet seemed to Her Majesty that any such Overtures could be attended with a Probability of Success.

"Her Majesty has viewed with the deepest Concern the desolating Warfare which still rages in those Regions; and She has witnessed with heartfelt Grief the severe Distress and Suffering which that War has inflicted upon a large Class of Her Majesty's Subjects, but which have been borne by them with noble Fortitude and with exemplary Resignation. It is some Consolation to Her Majesty to be led to hope that this Suffering and this Distress are rather diminishing than increasing, and that some Revival of Employment is beginning to take place in the manufacturing Districts.

"It has been most gratifying to Her Majesty to witness the abundant Generosity with which all classes of Her Subjects in all Parts of Her Empire have contributed to relieve the Wants of their suffering Fellow Countrymen; and the Liberality with which Her Majesty's Colonial Subjects have on this Occasion given their Aid has proved that, although their Dwelling Places are far away, their Hearts are still warm with unabated Affection for the Land of their Fathers.

"The Relief Committees have superintended with constant and laborious Attention the Distribution of the Funds intrusted to their Charge.

"Her Majesty commands us to inform you that She has concluded with The King of the *Belgians* a Treaty of Commerce and Navigation, and a Convention respecting Joint Stock Companies. That Treaty and that Convention will be laid before you.

"Her Majesty has likewise given Directions that there shall be laid before you Papers relating to the Affairs of *Italy*, of *Greece*, and of *Denmark*, and that Papers shall also be laid before you relating to Occurrences which have lately taken place in *Japan*.

"*Gentlemen of the House of Commons,*

"Her Majesty has directed that the Estimates for the ensuing Year shall be laid before you. They have been prepared with a due Regard to Economy, and will provide for such Reductions of Expenditure as have appeared to be consistent with the proper Efficiency of the Public Service.

"*My Lords, and Gentlemen,*

"We are commanded by Her Majesty to inform you that, notwithstanding the Continuance of the Civil War in *North America*, the general Commerce of the Country during the past Year has not sensibly diminished.

"The Treaty of Commerce which Her Majesty concluded with The Emperor of the *French* has already been productive of Results highly advantageous to both the Nations to which it applies; and the general State of the Revenue, notwithstanding many unfavourable Circumstances, has not been unsatisfactory.

"Her Majesty trusts that these Results may be taken as Proofs that the productive Resources of the Country are unimpaired.

"It has been gratifying to Her Majesty to observe the Spirit of Order which happily prevails throughout Her Dominions, and which is so essential an Element in the Well-being and Prosperity of Nations.

"Various Measures of public Usefulness and Improvement will be submitted for your Consideration; and Her Majesty fervently prays that in all your Deliberations the Blessing of Almighty God may guide your Councils to the Promotion of the Welfare and Happiness of Her People."

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"My Lords,

"I sincerely thank you for your loyal and dutiful Address.

"It is particularly gratifying to Me to be assured that you participate in My Feelings on the intended Marriage of the Prince of Wales, and in the Confidence that by God's Blessing this Event will Conduce to the Happiness of My Family and the Welfare of My People." 179

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Lords Commissioners' Speech—

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I receive with great satisfaction your loyal and dutiful Address.

The interest you express in the Marriage of the Prince of Wales, and the attachment you entertain for my Person and Family are most gratifying to my feelings.

You may be assured that I shall always be ready to co-operate with you in measures which have for their object to promote the happiness and welfare of My People. 220

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Second Reading—Salmon Fisheries (Ireland) [Bill 1]; Drainage of Land (Ireland) [Bill 7].

Salmon Fisheries (Ireland) Bill [Bill 1]—

Motion, "That the Bill be now read a second time."—(*Mr. M'Mahon.*)

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "any legislation affecting the rights of owners of property secured by the existing laws regulating Irish Fisheries, ought to be preceded by a full and complete inquiry, either by a Royal Commission or by a Committee of this House,"—(*Mr. Butt,*)—instead thereof

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factured Tobacco under mentioned, the following Duties shall be charged and paid thereon upon importation into Great Britain and Ireland :

		s.	d.
Segars	the lb.	5	0
Snuff	the lb.	3	9
Other Manufactured Tobacco . . .	the lb.	4	0

"That Unmanufactured Tobacco warehoused in any warehouse approved for security of Duties of Customs may, in such warehouse, be manufactured or converted into the articles denominated Cavendish or Negro-head Tobacco; and upon every pound thereof produced by such manufacture or conversion there shall be charged and paid on the delivery thereof for home consumption the Customs Duty of 3s. 8d."—(*Mr. Chancellor of the Exchequer*),—

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Second Reading—Births and Deaths Registration (Ireland) [Bill 9].

Committee—Illegitimate Children (Ireland) [Bill 13]; Drainage of Land (Ireland) [Bill 7].

Report — Illegitimate Children (Ireland) [Bill 13]; Drainage of Land (Ireland) [Bill 7].

Madras Irrigation Company—Question, Mr. Smollett; Answer, Sir Charles Wood 341

The Queen's Prison, Southwark—Question, Mr. Locke; Answer, Mr. Cowper 341

Fires in the Metropolis—Question, Mr. Thomson Hankey; Answer, Sir George Grey 342

Church Rates—Question, Mr. Hopwood; Answer, Sir George Grey .. 342

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Russia and China—Question, Colonel Sykes; Answer, Mr. Layard .. 342

Australia and New Zealand Postal Service—Question, Mr. Maguire; Answer, Mr. Chichester Fortescue 343

Post Office Savings Banks Bill—

Resolution *reported*, and *agreed to* :—Bill *ordered* to be brought in by Mr. Massey, Mr. Chancellor of the Exchequer, and Mr. Peel :—Bill *presented*, and read 1°. [Bill 22.] 343

Customs Acts (Tobacco Duties) Bill—

Resolutions *reported*, and *agreed to* :—Bill ordered to be brought in by Mr. Massey, Mr. Chancellor of the Exchequer, and Mr. Peel :—Bill *presented*, and read 1°. [Bill 21.] 344

Illegitimate Children (Ireland) Bill [Bill 13]—

Considered in Committee 344

(In the Committee.)

Clause 1 (Tenth Section of recited Act repealed) *agreed to*, with Amendments ... 344

Clause 2 (Board of Guardians may recover Cost of Maintenance of Illegitimate Child) *agreed to* 346

Clause 3 (Petty Sessions Clerk shall furnish to Board of Guardians, or putative Father, Copy of Information; such Copy to be received in Evidence) *agreed to* ... 348

Clause 4 (Civil Bill to be heard by Chairman of Quarter Sessions)—Amendment, "When any person shall once be adjudged to be the father of an illegitimate child, it shall not be necessary to swear informations or prove his paternity a second time when the guardians shall have to proceed against him to recover the costs of maintaining the same child :"—(*Lord John Browne:*)—

Amendment *withdrawn* :—Clause *agreed to* 348

Remaining Clauses and Preamble *agreed to.*

Bill *reported ;* as amended, to be considered *To-morrow.*

Thames Embankment (North Side) Bill—

On Motion of *Mr. Cowper*, Bill for making a new Street from Blackfriars to the Mansion House, in the City of London, in connection with the Embankment of the River Thames on the northern side of that river; and for other purposes,—(after long debate) *ordered* to be brought in by Mr. Cowper and Mr. Peel :—Bill *presented*, and read 1°. [Bill 23.] .. 348

Malt Duty Bill—

On Motion of *The Chancellor of the Exchequer*, Bill to Extend the Credit for Payment of a portion of the Excise Duty on Malt, *ordered* to be brought in by Mr. Chancellor of the Exchequer and Mr. Peel :—Bill *presented*, and read 1°. [Bill 20.] 363

LORDS, TUESDAY, FEBRUARY 17.

Standing Orders—Committee on Private Bills *appointed;* and the Lords following, together with the Chairman of Committees, were named of the Committee :—

Ld. President, D. Somerset, M. Winchester, M. Bath, M. Ailesbury, L. Steward, E. Airlie, E. Hardwicke, E. Carnarvon, E. Romney, E. Chichester, E. Powis, E. Verulam, E. Beauchamp, E. De Grey, E. Stradbroke, E. Amherst, L. Chamberlain, V. Eversley, L. Camoys, L. Saye and Sele, L. Colville of Culross, L. Ponsonby, L. Wycombe, L. Sondes, L. Foley, L. Dinevor, L. Wodehouse, L. Sheffield, L. Colchester, L. Silchester, L. De Tabley, L. Wynford, L. Portman, L. Stanley of Alderley, L. Aveland, L. Belper, L. Ebury, L. Churston, L. Egerton ... 366

Brazil—Dispute with the Brazilian Government—Explanation, Earl Russell 367

His Royal Highness the Prince of Wales—Message from the Queen:

Delivered by The Lord President; and read by the Lord Chancellor, as follows:

"Victoria R.

"Her Majesty relies on the Loyalty and Affection of the House of Lords, and on the cordial Interest which they have manifested in the happy Event of the approaching Marriage of The Prince of Wales to The Princess Alexandra of

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His Royal Highness the Prince of Wales—Message from the Queen—*continued.*

Denmark, that they will be ready to concur in such Provision as may be judged necessary to enable Her Majesty to settle an Establishment for The Prince and Princess suited to their Rank and Dignity."

Then it was *moved* by Earl Granville,

That an humble Address be presented to Her Majesty, to return to Her Majesty the Thanks of this House for Her most gracious Message, and to assure Her Majesty that this House will immediately proceed to the Consideration thereof, in such a Manner as shall demonstrate their Zeal, Duty, and affectionate Attachment to Her Majesty and a due Regard to the Rank and Dignity of the Royal Family :

And the same was *agreed to, Nemine Dissentiente :* The said Address to be presented to Her Majesty by the Lords with White Staves .. 372

Italy—Affairs of Rome—Observations—Question, The Marquess of Normanby; Answer, Earl Russell 374

COMMONS, TUESDAY, FEBRUARY 17.

Minutes.]—New Member Sworn—For Devonport, William Ferrand, esquire.

Select Committees—Inland Revenue and Customs Establishments, *appointed ;* Private Bill Legislation, *appointed* (*List of Members*).

Public Bills — *First Reading* — Prison Ministers [Bill 24].

Considered as amended—Illegitimate Children (Ireland) [Bill 13].

Liverpool Licensing Bill (*by Order*)—Motion made, and Question proposed, "That the Bill be now read a second time:"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Lord Fermoy :*)—Question put, "That the word 'now' stand part of the Question:"—The House *divided ;* Ayes 108, Noes 124, Majority 16:—Words *added :*—Main Question, as amended, put, and *agreed to :*—Bill *put off* for six months .. 394

South Eastern Railway Bill—Motion made, and Question proposed, "That the Bill be now read a second time:"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words, "upon this day six months:"—(*Mr. Dodson :*)—Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 111, Noes 122, Majority 11:—Words *added :*—Main Question, as amended, put, and *agreed to :*—Bill *put off* for six months 401

Private Bills Fees—Resolution,

"That so much of the Table of Fees charged at the House of Commons (under the Standing Order of the House passed in 1852) as multiplies the Fees Payable on the Petition, First, Second, and Third Readings, and Report of Private Bills, according to the money to be raised or expended under the authority of such Bills, be rescinded—the reduction to take effect in respect of Private Bills introduced in the Present Session:"—(*Mr. Richard Hodgson :*)—

After Debate, Motion, by leave, *withdrawn* 405

Marriage of the Prince of Wales—Question, Mr. Alderman Salomons; Answer, Viscount Palmerston 408

The Royal Navy—The "Royal Oak" and the "Royal Sovereign"—Question, Mr. Layard; Answer, Lord Clarence Paget 408

Railway Proxies—Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer 409

Sale of Beer Bill—Question, Mr. P. W. Martin; Answer, Mr. W. E. Forster 410

United States—Blockade of Charleston—Question, Mr. Bentinck; Answer, Viscount Palmerston 410

Metropolitan Buildings—Finsbury Circus—Question, Captain Jervis; Answer, Mr. Cowper 411

Danish Papers—Question, Mr. Seymour FitzGerald; Answer, Mr. Layard .. 412

Prince of Wales—Message from Her Majesty—

Brought up, and read by Mr. Speaker (all the Members being uncovered), as follows:—

VICTORIA R.

Her Majesty relies on the liberality and affection of Her faithful Commons, and on the cordial interest which they have manifested in the happy event of the approaching Marriage of the Prince of Wales to the Princess Alexandra of Denmark, that they will be ready to concur in such provision as they may judge necessary to enable Her Majesty to settle an Establishment for the Prince and Princess suited to their rank and dignity. *V. R.*

Resolved, Nemine Contradicente,

That an humble Address be presented to Her Majesty, to return to Her Majesty the Thanks of this House for Her most gracious Message, and to assure Her Majesty that this House will immediately proceed to the consideration thereof, in such a manner as shall demonstrate their zeal, duty, and affectionate attachment to Her Majesty, and a due regard to the rank and dignity of the Royal Family.—(*Viscount Palmerston.*)

Committee thereupon on *Thursday*.

ADJOURNMENT OF THE HOUSE—

Motion, "That the House at its rising do adjourn till To-morrow, at Two of the clock:"—

COMMERCIAL TREATY WITH ITALY—Observations, Mr. Seymour FitzGerald 415

Motion *agreed to*:—House, at rising, to adjourn till *To-morrow*, at Two of the clock.

POOR LAW (PATRICK BOURKE)—Motion for "Copy of the Report of Dr. Brodie on the removal of a pauper, named Patrick Bourke, from Leeds to Westport, in the county of Mayo, together with the evidence on which that Report is grounded:"—(*Lord John Browne*:)—After Debate, Motion *agreed to*. (*Parl. P.* 75.) 448

Prison Ministers Bill—

On Motion of *Sir George Grey*, Bill for the Amendment of the Law relating to the Religious Instruction of Prisoners in County and Borough Prisons in England and Scotland, *ordered* to be brought in by Sir George Grey and Mr. Bruce:—Bill *presented*, and read 1°. [Bill 24.] .. 460

PRIVATE BILL LEGISLATION—Select Committee *appointed*, "to inquire into the present system of legislation with regard to undertakings requiring the authority of Private Acts of Parliament, and whether any improvements can be made therein."

Motion,

"That it be an Instruction to the Committee to consider the justice and propriety of exempting parties who shall appear before any Committee to resist the taking of property belonging to them, under powers proposed to be taken under a Private Bill, or for Clauses respecting the same, from the payment of fees, or the expense of shorthand-writers' notes, or other House fees."—(*Mr Hadfield.*)

Motion, by leave, *withdrawn*.

And on *Friday* February 20th, Committee *nominated*, as follows:—

Mr. Milner Gibson, Mr. Lowe, Colonel Wilson Patten, Mr. Adair, Mr. Whalley, Mr. Richard Hodgson, Lord Stanley, Mr. Edward Pleydell Bouverie, Mr. Walpole, Mr. Massey, Mr. Puller, Mr. Hassard, Mr. Paull, Mr. Charles Forster, and Mr. Liddell 468

COMMONS, WEDNESDAY, FEBRUARY 18.

MINUTES.]—SELECT COMMITTEE—*Report*—Committee of Selection, *First Report* [No. 47.]

PUBLIC BILLS—*Second Reading*—Qualification for Offices Abolition [Bill 4]; Aggravated Assaults on Women and Children [Bill 15], *negatived*.

Qualification for Offices Abolition Bill [Bill 4]—

Motion, "That the Bill be now read a second time."—(*Mr. Hadfield.*) .. 469

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

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Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 74, Noes 63; Majority 11.

Main Question put, and *agreed to:*—Bill read 2°, and *committed* for *To-morrow* 470

Division List—Ayes and Noes 470

Aggravated Assaults on Women and Children Bill [Bill 15]—

Motion, "That the Bill be now read a second time."—(*Viscount Raynham.*) 471

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Alderman Sidney.*) 472

Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 43, Noes 153; Majority 110:—Words *added.*

Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months. 473

LORDS, THURSDAY, FEBRUARY 19.

ITALY—ROME—Explanation, Marquess of Normanby 474

THE CONVICT GILBERT—Explanation, Earl Granville 475

PRISON DISCIPLINE—Observations, Earl of Carnarvon 476

COMMONS, THURSDAY, FEBRUARY 19.

MINUTES.]—NEW MEMBER SWORN—For Somerset (Western Division), William Henry Powell Gore Langton, esquire.

PUBLIC BILLS—*Resolutions in Committee*—Prince of Wales (Queen's Message) [17th February]; Partnership Law Amendment.

First Reading—Register of Voters [Bill 25]; Partnership Law Amendment [Bill 26].

Second Reading—Corrupt Practices at Elections [Bill 8]; Union Relief Aid Act (1862) Continuance [Bill 17]; Telegraphs [Bill 16]; Malt Duty [Bill 20].

Committee—Births and Deaths Registration (Ireland) [Bill 9]; Qualification for Offices Abolition [Bill 4].

Re-committed—Illegitimate Children (Ireland [Bill 13], in respect of Clause 4.

Report—Illegitimate Children (Ireland [Bill 13]; Qualification for Offices Abolition [Bill 4].

Considered as amended—Drainage of Land (Ireland) [Bill 7].

Thames Conservancy Bill—

Motion made, and Question proposed, "That the Bill be now read a second time" 494

Amendment proposed, to leave out "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Alderman Salomons.*) 494

Question, "That the word 'now' stand part of the Question," put, and *negatived:*—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months 496

METROPOLITAN BRIDGES AND RAILWAYS—Question, Mr. Tite; Answer, Mr. Cowper 496

ARRANGEMENT OF THE CIRCUITS—Question, Mr. M'Mahon; Answer, The Attorney General 496

PHŒNIX PARK (DUBLIN)—Question, Sir Edward Grogan; Answer, Mr. Peel 497

Prince of Wales (Queen's Message)—

Queen's Message [17th February],—*considered* in Committee 498

(In the Committee.)

On Motion of *Viscount Palmerston,*

1. *Resolved, Nemine Contradicente,*

That the annual sum of £40,000 be granted to Her Majesty, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, towards providing for the Establishment of His Royal Highness the Prince of Wales and Her Royal Highness the Princess Alexandra of Denmark, to commence from the Day of the Marriage o their Royal Highnesses.

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PRINCE OF WALES (QUEEN'S MESSAGE) [17th February]—*continued.*

2. *Resolved, Nemine Contradicente,*

That the annual sum of £10,000 be granted to Her Majesty out of the said Consolidated Fund, to be paid quarterly to Her Royal Highness Princess Alexandra, for Her sole and separate use, during the period of their Royal Highnesses' Marriage.

3. *Resolved, Nemine Contradicente,*

That Her Majesty be enabled to secure to Her Royal Highness the Princess Alexandra, in case she shall survive His Royal Highness the Prince of Wales, an annual sum not exceeding £30,000 during Her life, to support Her Royal Dignity.

Resolutions to be reported *To-morrow.*

Corrupt Practices at Elections Bill [Bill 8]—

Moved, "That the Bill be now read a second time." 511

After Debate, Motion *agreed to*:—Bill read 2°, and *committed* for *Thursday* next 526

Union Relief Aid Act (1862) Continuance Bill [Bill 17]—

Moved, "That the Bill be now read a second time."—(*Mr. Villiers.*) .. 526

After Debate, Motion *agreed to*:—Bill read 2°, and *committed* for *Thursday* next 542

Malt Duty Bill [Bill 20]—

Moved, "That the Bill be now read a second time." 542

After Debate, Motion *agreed to*:—Bill read 2°, and *committed* for *Monday* next 546

Births and Deaths Registration (Ireland) Bill—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair." 547

Motion made, and Question proposed, "That it be an Instruction to the Committee that they have power to make provision in the Bill for the Registration of Marriages in Ireland."—(*Lord Naas.*)

Question put:—The House *divided;* Ayes 66, Noes 89; Majority 23.

Bill *considered* in Committee:—Committee report Progress 556

Qualification for Offices Abolition Bill [Bill 4]—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—Motion made, and Question proposed, "That the Debate be now adjourned:"—(*Mr. Packe*:)—Motion, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill *considered* in Committee, and *reported,* without Amendment; to be read 3° on *Wednesday* 4th March 556

Partnership Law Amendment—

Considered in Committee:—

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to amend the Law relating to Partnerships.

Resolution *reported*:—Bill *ordered* to be brought in by Mr. Scholefield, Mr. Murray, and Mr. Stansfeld:—Bill *presented,* and read 1°. [Bill 26.] 557

Register of Voters Bill—

On Motion of *Mr. Locke King,* Bill to provide for an Alphabetical Index to the Register of Voters in Counties in England and Wales, *ordered* to be brought in by Mr. Locke King and Mr. Ker Seymer:—Bill *presented,* and read 1°. [Bill 25.] 557

LORDS, FRIDAY, FEBRUARY 20.

CONVICTS—CONVICT SUPERVISION IN DUBLIN—Paper moved for (*The Earl of Carnarvon*):—Motion *agreed to.* (*Parl. P.* 45.) 557

CONVICTS—REMISSION OF SENTENCES—Address for Returns—(*The Duke of Marlborough*):—Motion *withdrawn* 58

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Convicts—Remission of Sentences—Address for Returns (*The Duke of Marlborough*):—Motion *withdrawn* 558

Poland—Question, The Earl of Ellenborough; Answer, Earl Russell .. 560

Poor Relief (Ireland) Act Amendment Bill [h.l.]—
A Bill to amend the Law enabling Boards of Guardians to recover Costs of Maintenance of Illegitimate Children in certain Cases in Ireland—Was *presented* by the Viscount Lifford; read 1ª; and to be *printed.* (No. 12.) 570

Prison Discipline—On the Motion of *The Earl of Carnarvon,*
Select Committee *appointed* to consider and report on the present State of Discipline in Gaols and Houses of Correction. The Lords following were named of the Committee:—
Ld. President, D. Richmond, D. Marlborough, M. Salisbury, L. Steward, E. Carnarvon, D. Malmesbury, E. Romney, E. Cathcart, E. Ducie, E. Dudley, V. Eversley, L. Wodehouse, L. Wensleydale, L. Lyveden.

COMMONS, FRIDAY, FEBRUARY 20.

Minutes.]—Select Committee—On Private Bill Legislation, *nominated* (*see Feb.* 18); On Ordnance, *appointed* (*List of Members*).
Report—Controverted Elections, Chairmen's Panel.
Supply—Committee *deferred.*
Public Bills—*Resolutions in Committee*—Prince of Wales (Queen's Message) [17th February], *reported;* London Coal and Wine Duties.
First Reading—Prince and Princess of Wales' Annuities [Bill 30]; Education of Factory Children [Bill 28]; Bleaching and Dyeing Works Act Amendment [Bill 29]; Barristers (Ireland) [Bill 31]; London Coal and Wine Duties [Bill 27].
Committee—Births and Deaths Registration (Ireland) [Bill 9].
Report—Births and Deaths Registration (Ireland) [Bill 9].
Third Reading—Illegitimate Children (Ireland) [Bill 13]; Drainage of Land (Ireland) [Bill 7].

Resignation of Sir William Armstrong—Question, Mr. Laird; Answer, Sir George Lewis 571

The Irish Census—Question, Mr. W. O. Gore; Answer, Sir George Grey .. 571

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The Navy—Appointment of Mr. Reed—Question, Sir Frederic Smith; Answer, Lord Clarence Paget 572

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State of New Zealand—Question, Colonel Wilson Patten; Answer, Mr. Chichester Fortescue 574

The Game Laws (Ireland)—Question, Mr. Hassard; Answer, Sir Robert Peel 574

The Transportation Commission—Question, Sir John Walsh; Answer, Sir George Grey 575

Tenure of Land—Question, Mr. Darby Griffith; Answer, Sir Robert Peel .. 575

Underground Railway—Question, Sir George Bowyer; Answer, Mr. Milner Gibson 575

The Galway Contract—Question, Mr. Baxter; Answer, The Chancellor of the Exchequer 575

Poland—Convention between Russia and Prussia—Question, Mr. W. Ewart; Answer, Viscount Palmerston 576

West Indies—Question, Mr. Cave; Answer, Mr. Chichester Fortescue .. 577

SUPPLY—Order for Committee of Supply read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Labour in Egypt—Question, Mr. Darby Griffith; Answer, Viscount Palmerston 577

SUPPLY—On Motion for Committee—*continued.*

Poland—Congress of Paris, 1856—Statement, Viscount Palmerston .. 578

Carriage Road through Hyde Park — Question, Viscount Enfield; Answer, Mr. Cowper 579

Distress in the Cotton Districts—Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that a Royal Commission may be issued, to consider the best mode of obtaining a permanent supply of cotton,"—(*Sir Lawrence Palk,*) —instead thereof:—Question proposed, "That the words proposed to be left out stand part of the Question" 581

After Debate, Amendment *withdrawn.*

Distress in Ireland—Observations, Mr. Maguire; Reply, Sir Robert Peel 591

Metropolitan Railway Schemes—Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words, "there be laid before this House, Copy of any Reports made to the Metropolitan Board of Works by their engineer, or other officers, upon the Railway and other Private Bills affecting the Metropolis, introduced during the present Session,"—(*Mr. Harvey Lewis,*)—instead thereof. 608

Question proposed, "That the words proposed to be left out stand part of the Question."

Question put, and *negatived:* — Words *added:* — Main Question, as amended, put, and *agreed to* 613

Ordered,

That there be laid before this House, Copy of any Reports made to the Metropolitan Board of Works by their engineer, or other officers, upon the Railway and other Private Bills affecting the Metropolis, introduced during the present Session."

Supply—Committee *deferred* till Monday next.

Prince of Wales (Queen's Message) [17th February]—

Resolutions (February 19) *reported,* and *agreed to.*

Bill *ordered* to be brought in by Mr. Massey, Viscount Palmerston, and Sir George Grey:—Bill *presented,* and read 1°. [Bill 30.] 613

Births and Deaths Registration (Ireland) Bill [Bill 9]—

Considered in Committee 614

(In the Committee.)

Clauses 1 to 8, inclusive, *agreed to.*

Clause 9 (Salaries to be paid out of Monies provided by Parliament)—Amendment proposed, in page 4, line 6, to leave out the words "not herein otherwise provided for:"—(*Mr. M'Mahon:*)—Question put, "That the words proposed to be left out stand part of the Clause:"—The Committee *divided;* Ayes 38, Noes 23, Majority 15. 614

Clause *agreed to.*

Clauses 10 to 17 *agreed to.*

Clause 18 (Registrars' Districts)—Amendment moved, to leave out from the beginning to the word "Act," in line 19, and insert the words "The guardians of every union shall, on or before the 1st of January, 1864, divide the union into such and so many districts as they, subject to the approval of the Registrar General, shall see fit."—(*Lord Naas.*) 620

Amendment proposed, in page 6, line 17, to leave out the words, "Each dispensary district."

Question put, "That the words proposed to be left out stand part of the Question:"—The Committee *divided;* Ayes 44, Noes 14, Majority 30. 621

Clause *agreed to.*

Clauses 19 to 22 *agreed to.*

Clause 23 (Appointment of Registrars)—Amendment moved, to leave out from the beginning to "district," in line 35, and to insert—"The guardians of every union shall appoint a person with such qualifications as the Registrar General may by any general rule declare to be necessary, to be Registrar of Births and Deaths in each district, and in every case of vacancy in the office of Registrar shall forthwith fill up the vacancy."—(*Lord Naas.*) 621

After short Debate, Amendment *withdrawn:*—Clause *agreed to.*

Clauses 24 to 27 *agreed to.*

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Clause 28 (Superintendent Registrars and Registrars to reside in their Districts)—Amendment (*Mr. Hassard*) *agreed to*:—Another Amendment, "Provided always that dispensary houses in the Registrars' districts may, with the consent of the Dispensary Committee, be used as registering offices" (*Mr. Bagwell*); *agreed to*:—Clause, as amended, *agreed to* 622

Clauses 29 and 30 *agreed to*:—Remaining Clauses *agreed to.*

Bill *reported;* as amended, to be considered on *Monday*, 2nd *March* .. 622

London Coal and Wine Duties Bill—

London Coal and Wine Duties—Acts *considered* in Committee:—

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for further continuing and appropriating the London Coal and Wine Duties.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. Massey, Mr. Cowper, and Mr. Peel:—Bill *presented,* and read 1°. [Bill 27.] 622

Education of Factory Children Bill—

On Motion of *Mr. Baxter*, Bill to make further provisions for the Education of Children employed in Factories and other works, *ordered* to be brought in by Mr. Baxter, and Mr. Buchanan:—Bill *presented,* and read 1°. [Bill 28.] 622

Bleaching and Dyeing Works Act Amendment Bill—

On Motion of *Mr. Baxter*, Bill to amend the Act for placing the Employment of Women, Young Persons, and Children in Bleaching Works and Dyeing Works under the regulations of the Factories Act, *ordered* to be brought in by Mr. Baxter, Mr. Hibbert, and Mr. Crum-Ewing:—Bill *presented,* and read 1°. [Bill 29.] 623

Barristers (Ireland) Bill—

On Motion of *Mr. Hennessey*, Bill to amend the Law relating to the Admission of Barristers to practise in Ireland, *ordered* to be brought in by Mr. Hennessy, Mr. Maguire, and Colonel Dickson:—Bill *presented,* and read 1°. [Bill 31.] 623

Ordnance—Select Committee—

Ordance—Select Committee *appointed,* "to inquire into the expenditure incurred since the beginning of 1859 on various natures of improved Ordnance, whether obtained by contract or manufactured in the Public Departments, and into the results obtained by such expenditure."

And on February 26th Committee *nominated,* as follow:—Mr. Monsell, Sir George Lewis, General Peel, Captain Jervis, Mr. Baring, Sir Frederic Smith, Mr. Dodson, Sir John Hay, Lord Robert Cecil, Mr. Laird, Major O'Reilly, Mr. Beecroft, Sir Morton Peto, and Mr. Vivian .. 623

LORDS, MONDAY, FEBRUARY 23.

Minutes.]—Public Bills—*First Reading*—Gardens in Towns Protection [H.L] (No. 14); Naval Coast Volunteers Act Amendment [H.L.] (No. 19); Illegitimate Children (Ireland) (No. 17); Drainage of Land (Ireland) (No. 18).

Great Eastern Railway (New Metropolitan Station and Branches)—

Moved, "That the Bill be now read 2ª." 623

After Debate, further Debate upon the said Motion adjourned to *Monday* the 9th of *March* next.

Gardens in Towns Protection Bill [H.L.]—

A Bill for the Protection of certain Garden or Ornamental Grounds in Cities and Boroughs—Was *presented* by The Lord Redesdale; read 1ª; to be *printed;* and to be read 2ª on *Thursday* next. (No. 14.).. .. 633

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Naval Coast Volunteers Act Amendment Bill [H.L.]—
A Bill to amend the Law relating to the Royal Naval Coast Volunteers—Was *presented* by The Duke of Somerset; read 1ª; and to be *printed.* (No. 19.) 633

COMMONS, MONDAY, FEBRUARY 23.

MINUTES.]—NEW MEMBER SWORN—For Chichester, John Abel Smith, esquire.
SELECT COMMITTEE—On Public Accounts, *nominated—List of Members.*
SUPPLY.—Navy Estimates, Resolutions 1, 2, 3, *agreed to.*
PUBLIC BILLS—*First Reading*—Marriages (Ireland) [Bill 32].
Second Reading—Prince and Princess of Wales' Annuities [Bill 30]; Tobacco Duties (*Debate adjourned*).

VISCOUNT SYDNEY AND MR. BUDDEN—Personal Explanation, Lord Clarence Paget 633
Motion made, and Question proposed, "That this House do now adjourn."—(*Lord Robert Montagu.*) 636
After short Debate, Question put, and *negatived.*

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POLAND—REPORTED ARREST OF POLISH STUDENTS—Question, Mr. Darby Griffith; Answer, Viscount Palmerston 644

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After Debate, Motion *agreed to;* Bill read 2°, and *committed* for *To-morrow* 651

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CONFINEMENT OF LUNATICS—HALL *v.* SEMPLE—Question, Mr. Butt; Answer, Sir George Grey 651

DEPORTATION OF NEGROES FROM EGYPT—Question, Mr. Buxton; Answer, Sir George Grey 651

SUPERINTENDENTS OF DOCKYARD POLICE—Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "this House will To-morrow resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying that the three Superintendents of Dockyard Police who were superannuated on the abolition of their offices be restored to the scale of pension which was originally awarded to them,"—(*Sir James Elphinstone,*)—instead thereof. 654
Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

THE TRANSPORT SERVICE—Question, Mr. Lindsay, 657; Answer, Lord Clarence Paget 666

THE IONIAN ISLANDS—Question, Sir Frederic Smith, 663; Answer, Lord Clarence Paget 666

VICE CONSUL AT ABBEOKUTA—Question, Mr. Digby Seymour, 664; Answer, Mr. Layard 667

FLOGGING IN THE NAVY—Observations, Mr. W. Williams 668

Main Question put, and *agreed to*

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SUPPLY *considered* in Committee:—THE NAVY ESTIMATES 669

(In the Committee.)

On Motion of *Lord Clarence Paget*,

After long Debate, the following Resolutions were *agreed to* :—

(1.) 76,000 Men and Boys for Sea and Coast Guard Services, including 18,000 Royal Marines.

(2.) £2,921,951, Wages.

(3.) £1,416,986, Victuals and Clothing.

Resolutions to be reported *To-morrow.*

Committee to sit again on *Wednesday* 706

Tobacco Duties Bill [Bill 21]—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*) 706

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the expediency of altering the Laws for raising a Revenue on Tobacco,"—(*Mr. Ayrton,*)—instead thereof :—Question proposed, "That the words proposed to be left out stand part of the Question." 707

Motion made, and Question proposed, "That the Debate be now adjourned :" —(*Mr. Cox:*)—On Question, the House *divided ;* Ayes 46, Noes 90, Majority 44.

Question again proposed, "That the words proposed to be left out stand part of the Question." 714

Motion made, and Question proposed, "That this House do now adjourn :"— (*Colonel Dunne :*)—Motion *withdrawn* 714

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate arising ; Debate *adjourned* till Friday.

COMMITTEE OF PUBLIC ACCOUNTS — *Moved,* "That the Committee of Public Accounts do consist of the following Members."—(*Mr. Chancellor of the Exchequer.*) 715

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Standing Order relative to the number of the said Committee be suspended,"—(*Mr. Hennessy,*)— instead thereof:—Question proposed, "That the words proposed to be left out stand part of the Question :"—On Question, the House *divided ;* Ayes 46, Noes 21, Majority 25 715

Main Question put, and *agreed to.*

Motion made, and Question proposed, "That Sir Francis Baring be one of the Members of the said Committee" 716

Motion made, and Question proposed, "That the Debate be now adjourned:" —(*Mr. Hennessy:*)—On Question, the House *divided ;* Ayes 12, Noes 39, Majority 27 716

Question again proposed, "That Sir Francis Baring be one of the Members of the said Committee."

Motion made, and Question proposed, "That this House do now adjourn :"— Question put, and *negatived.*

Question, "That Sir Francis Baring be one of the Members of the said Committee," put, and *agreed to.*

Mr. Edward Pleydell Bouverie, Sir Stafford Northcote, Mr. Peel, Mr. George Carr Glyn, Mr. Cobden, Sir Henry Willoughby, Mr. Howes, and Mr. Walpole nominated other Members of the said Committee.

Marriages (Ireland) Bill)—

On Motion of *Sir Edward Grogan,* Bill to amend the Law relating to Marriages in Ireland, *ordered* to be brought in by Sir Edward Grogan, Mr. Vance, and Mr. Longfield :—Bill *presented,* and read 1°. [Bill 32.] .. 717

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LORDS, TUESDAY, FEBRUARY 24.

PRIVATE BILLS—

Ordered,

That this House will not receive any Petition for a Private Bill after *Tuesday* the 24*th Day of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any Petition for a Private Bill approved by the Court of Chancery after *Tuesday* the 12*th Day of May* next:

Ordered,

That this House will not receive any Report from the Judges, upon Petitions presented to this House for Private Bills, after *Tuesday* the 12*th Day of May* next:

Ordered,

That the said Orders be *printed* and *published*, and affixed on the Doors of this House and Westminster Hall. (No. 21.) 717

EAST GLOUCESTERSHIRE RAILWAY—

Moved, That the Bill be now read 2^{a} (*Viscount Lifford*) 718

After short Debate, further Debate *adjourned* till *Tuesday* the 10th of *March* next.

English Church Service in Wales Bill [H.L.] (No. 7)—

On Motion of *The Bishop of Bangor*, Bill read 2^{a}, and *committed* to a Committee of the Whole House on *Thursday* next 719

VOLUNTEER FORCE—Question, Lord Stratheden; Answer, Earl de Grey and Ripon 720

COMMONS, TUESDAY, FEBRUARY 24.

MINUTES.]—NEW MEMBER SWORN.—For Devizes, Hon. William Wells Addington.

SELECT COMMITTEE—On Private Bill Legislation, Mr. Hassard *discharged*; Mr. Hennessy *added*.

SUPPLY—Navy Estimates, Resolutions 1, 2, 3, *reported*.

PUBLIC BILLS—*Ordered*—Marine Mutiny.

First Reading — Security from Violence [Bill 35]; Jurors' Remuneration [Bill 36]; Writs Prohibition [Bill 34]; Bills of Exchange and Notes (Metropolis) [Bill 33].

Second Reading—Register of Voters [Bill 25].

Committee—Prince and Princess of Wales' Annuities [Bill 30].

Report — Prince and Princess of Wales' Annuities [Bill 30].

PRIVATE BILLS—On Motion of *Mr. Massey*, Standing Order 120, relating to Private Business, repealed, and the following made a Standing Order of the House in lieu thereof:—

"It shall be competent to the Committee on any Private Bill to admit the Petitioners, being the municipal or other authority having the local management of the Metropolis or of any town, or the Inhabitants of any town or district alleged to be injuriously affected by a Bill, to be heard against such Bill, if they shall think fit." 722

CROWN LANDS—Her Majesty's Answer to Address [13*th February*] *reported*, as follows:—

I have received your Address, praying that I will give directions that no Sales to facilitate Enclosures be made of Crown Lands or Crown Forestal Rights within fifteen miles of the Metropolis.

The desire conveyed to me in this Address will receive due consideration .. 723

NAVY—DOCKYARD PROMOTION—Question, Mr. Ferrand; Answer, Lord C. Paget 724

ARMY ESTIMATES—Question, Sir Henry Willoughby; Answer, Sir George Lewis 724

EXPORTATION OF SALMON—Question, Mr. Tucker Smith; Answer, Sir George Grey 724

SALMON FISHERIES (IRELAND) BILL—Question, Sir Robert Peel; Answer, Mr. McMahon 725

ADJOURNMENT OF THE HOUSE—Observations, Viscount Palmerston 725—727

OUTDOOR RELIEF (IRELAND)—Question, Mr. Lanigan; Answer, Sir Robert Peel 725

EXTRADITION TREATY WITH ITALY—Question, Sir George Bowyer; Answer, Mr. Layard 726

FRENCH MEDIATION BETWEEN THE FEDERAL AND CONFEDERATE STATES—Question, Mr. Hopwood; Answer, Viscount Palmerston 728

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APPROPRIATION BILL—RESOLUTIONS—Observations, Mr. Speaker; Lord Robert Montagu 729

NAVY (PROMOTION AND RETIREMENT)—Motion made, and Question proposed,

"That this House will, upon Thursday next, resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, submitting to Her Majesty, That, in the opinion of this House, the position of the Officers of Her Majesty's Naval Service, in respect of promotion and retirement, is not satisfactory, and ought to be amended; with a view to the increased efficiency of the Naval Service, and to meet the just expectations of Officers with respect to promotion, it is desirable to adopt for all ranks the principle of retirement by age; the pay of Naval Officers ought to be so adjusted as to enable them consistently to maintain the rank they hold, and to give them fair remuneration for honourable service."—(*Sir John Hay.*) 731

Amendment proposed,

To leave out from the first word "House" to the end of the Question, in order to add the words "having on the 13th day of March 1861 instructed a Select Committee to consider the present system of Promotion and Retirement in the Royal Navy, is of opinion that its decision should be suspended until the subject shall have been accordingly considered and reported upon; and that a Select Committee be appointed to consider the present system of Promotion and Retirement in the Royal Navy, and to report their opinion thereon to this House,"—(*Viscount Palmerston,*)—instead thereof 749

After long Debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*:—Words *added*:—Main Question, as amended, put, and *agreed to.*

Resolved,

That this House, having on the 13th day of March 1861 instructed a Select Committee to consider the present system of Promotion and Retirement in the Royal Navy, is of opinion that its decision should be suspended until the subject shall have been accordingly considered and reported upon; and that a Select Committee be appointed to consider the present system of Promotion and Retirement in the Royal Navy, and to report their opinion thereon to this House 784

Security from Violence Bill—

On Motion of *Mr. Adderley,* Bill for the further security of the persons of Her Majesty's Subjects from personal violence, *ordered* to be brought in by Mr. Adderley, Sir Stafford Northcote, and Mr. Garnett:—Bill *presented,* and read 1°. [Bill 35.] 785

Jurors' Remuneration Bill—

On Motion of *Mr. Ayrton,* Bill for the remuneration of Jurors in certain cases, *ordered* to be brought in by Mr. Ayrton and Sir FitzRoy Kelly:—Bill *presented,* and read 1°. [Bill 36.] 788

Writs Prohibition Bill—

On Motion of *Mr. E. P. Bouverie,* Bill to prohibit the issue of Writs for Actions of Debt in the Superior Courts for sums of less than Twenty Pounds, *ordered* to be brought in by Mr. Edward Pleydell Bouverie and Mr. Hardcastle 789

Prince and Princess of Wales' Annuities Bill [Bill 30]—

Bill *considered* in Committee.

Bill *reported,* without Amendment; to be read 3° on *Thursday* .. 789

Bills of Exchange and Notes (Metropolis) Bill—

On Motion of *Sir George Grey,* Bill to make provision concerning Bills of Exchange and Promissory Notes payable in the Metropolis on the day appointed for the passage through the Metropolis of Her Royal Highness the Princess Alexandra of Denmark, *ordered* to be brought in by Sir George Grey and Mr. Bruce:—Bill *presented,* and read 1°. [Bill 33.] .. 790

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LORDS, THURSDAY, FEBRUARY 26.

MINUTES.]—PUBLIC BILLS—*First Reading*—Prince and Princess of Wales' Annuities (No. 24).
Second Reading—Gardens in Towns Protection (No. 14).
Committee—English Church Services in Wales [H.L.] (No. 7).
Report—English Church Services in Wales [H.L.] (No. 7).

ITALY—AFFAIRS OF ROME—Questions, The Marquess of Normanby; Answer, Earl Russell 790

DURHAM UNIVERSITY COMMISSION—Observations, The Bishop of Exeter; Answer, The Lord Chancellor 794

COMMONS, THURSDAY, FEBRUARY 26.

MINUTES.] NEW MEMBER SWORN—For Lisburn, John Doherty Barbour, esquire.
SUPPLY—Navy Estimates—Resolutions 1 to 9 *agreed to.*
SELECT COMMITTEES—On Ordnance, *nominated* (see *Feb.* 20).
Reports—Public Petitions, *Fifth Report;* Railway and Canal Bills, *Second Report* [No. 50].
PUBLIC BILLS—*First Reading*—Marriages Registration (Ireland) [Bill 39]; Marriages, &c. (Ireland) [Bill 40]; Diseases Prevention (Metropolis) [Bill 41]; Salmon Exportation [Bill 42].
Second Reading—Post Office Savings Banks [Bill 22]; Bills of Exchange and Notes (Metropolis) [Bill 33].
Committees—Telegraphs Bill [Bill 16]; Malt Duty [Bill 20].
Reports—Telegraphs Bill [Bill 38]; Malt Duty [Bill 37].
Third Reading—Prince and Princess of Wales' Annuities [Bill 30]; and *passed.*
Bill withdrawn—Marriages (Ireland) [Bill 32], Order for Second Reading *discharged.*

THE CASE OF PATRICK BOURKE—Question, Lord John Browne; Answer, Mr. C. P. Villiers 795

BOOK POST TO INDIA AND CHINA—Question, Colonel Sykes; Answer, Mr. Peel 796

REGISTRATION OF ASSURANCES—Question, Sir Edward Grogan; Answer, Sir Robert Peel 796

THE LICENSING LAWS—Question, Mr. Lawson; Answer, Sir George Grey .. 797

THE NIGER EXPEDITION—Question, Lord Alfred Churchill; Answer, Lord Clarence Paget 797

BURMESE PRIZE MONEY—Question, Colonel North; Answer, Sir Charles Wood 797

UNION RELIEF AID ACT (1862) CONTINUANCE BILL—Question, Mr. Cobden; Answer, Mr. C. P. Villiers 798

THE ROYAL LEVEES AND DRAWING ROOMS—Question, Mr. Sturt .. 798

BARRISTERS (IRELAND) BILL—Question, The Solicitor General; Answer, Mr. Hennessy 798

BREACH OF PRIVILEGE—Mr. E. J. REED—On Complaint made to the House by *Sir Frederic Smith* of a letter addressed to him by Mr. E. J. Reed, reflecting upon a speech of the hon. Member, in his place in the House, as false and libellous,

Resolved, That the said letter is a Breach of the Privileges of this House.
Ordered, That E. J. Reed do attend this House *To-morrow.* .. 798

SUPPLY—Order for Committee of Supply read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE NAWAB OF THE CARNATIC—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "whereas by a Royal Proclamation addressed to the Native Princes and Peoples of India, published the 1st day of November 1858, it is stated 'That we desire no extension of our present territorial possessions, and while we will permit no aggression upon our Dominions or our Rights to be attempted with impunity, we shall sanction no encroachment in those of others;' and again, 'We hereby announce to the Native Princes of India, that all Treaties and engagements made with them by or under the authority of the Honourable East India Company are by us accepted, and will be scrupulously maintained;' so, in the opinion of this House, where differences of opinion have arisen with respect to the interpretation of such Treaties, the questions at issue ought to be referred for decision to Her Majesty's Privy Council,"—(*Mr. H. Baillie,*)—instead thereof 802

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SUPPLY—On Motion for Committee—*continued.*

After Debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 104, Noes 24, Majority 80 818

HASLAR HOSPITAL—Explanation, Sir John Hay 818

Main Question put, and *agreed to.*

SUPPLY *considered* in Committee:—NAVY ESTIMATES.

(In the Committee.)

(1.) £165,322, Admiralty Office 818
After Debate, Vote *agreed to.*

(2.) £299,695, Coast Guard Service, Royal Naval Coast Volunteers, and Royal Naval Reserve 828
After Debate, Vote *agreed to.*

(3.) £71,961, Scientific Departments of the Navy 832
After Debate, Vote *agreed to.*

(4.) £183,316, Naval Establishments at Home 833
After Debate, Vote *agreed to.*

(5.) £36,370, Naval Establishments Abroad, *agreed to.* 835

(6.) Motion made, and Question proposed,

"That a sum, not exceeding £1,112,878, be granted to Her Majesty, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at Home, which will come in course of payment during the year ending on the 31st day of March, 1864." 835

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Lindsay:*)—Motion, by leave, *withdrawn* 837
After Debate, Original Question put, and *agreed to* 840

(7.) £69,957, Wages to Artificers, &c. abroad, *agreed to* 840

(8.) Motion made, and Question proposed,

"That a sum, not exceeding £1,334,051, be granted to Her Majesty, to defray the Expense of Naval Stores for the Building, Repair, and Outfit of the Fleet, which will come in course of payment during the year ending on the 31st day of March, 1864." 840

Motion made, and Question proposed, "That the Item of £266,663, for Timber, Masts, Deals, &c., be reduced by £250,000."—(*Sir Morton Peto.*) 840
After Debate, Question put, and *negatived.*

Original Question again proposed.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Lindsay:*)—The Committee *divided;* Ayes 13, Noes 74, Majority 61 844

Original Question again proposed.

Motion made, and Question proposed, "That the Item of £160,000, for Iron for Armour Plates for Wooden Ships, be reduced by £134,000."—(*Mr. Lindsay.*) 847
After Debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(9.) £857,349, Steam Machinery, *agreed to* 854

House *resumed:*—Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Post Office Savings Banks Bill [Bill 22]—
After short Debate, Bill read 2°, and *committed* for *Monday* next .. 854

Bills of Exchange and Notes (Metropolis) Bill [Bill 33]—
After short Debate, Bill read 2°, and *committed* for *To-morrow* .. 855

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Marriages Registration (Ireland) Bill—
On Motion of *Mr. Monsell,* Bill to provide for the Registration of Marriages in Ireland, *ordered* to be brought in by Mr. Monsell, Lord Naas, and Mr. Herbert:—Bill *presented,* and read 1°. [Bill 39.] 856

Marriages, &c. (Ireland) Bill—
On Motion of *Sir Edward Grogan,* Bill to amend the Law relating to Marriages in Ireland, and to extend the provisions of the Act of the twenty-second year of Her Majesty, chapter twenty, to the Consistory Courts of Armagh and Dublin, *ordered* to be brought in by Sir Edward Grogan, Mr. Vance, and Mr. Longfield:—Bill *presented,* and read 1°. [Bill 40.] 856

Diseases Prevention (Metropolis) Bill—
On Motion of *Dr. Brady,* Bill to regulate the removal in hired or public Carriages of Persons labouring under infectious Diseases in the Metropolis, *ordered* to be brought in by Dr. Brady and Sir FitzRoy Kelly:—Bill *presented,* and read 1°. [Bill 41.] 856

Salmon Exportation Bill—
On Motion of *Mr. Bruce,* Bill for prohibiting the Exportation of Salmon at certain times, *ordered* to be brought in by Mr. Bruce and Sir George Grey:—Bill *presented,* and read 1°. [Bill 42.] 857

LORDS, FRIDAY, FEBRUARY 27.

Minutes.]—Public Bills—*Second Reading*—Prince and Princess of Wales' Annuities (No. 24).
Committee—Gardens in Towns Protection [H.L.] (No. 14).
Report—Gardens in Towns Protection [H.L.] (No. 14).
Third Reading—English Church Services in Wales [H.L.] (No. 7); and *passed.*

Poland—Observations, The Earl of Ellenborough; Explanation, Earl Russell .. 857

Western Australia—Transportation—Motion,
"That an humble Address be presented to Her Majesty for, Copy of a Memorial presented on the 12th of February 1863 by a Deputation of Colonists from Western Australia to the Duke of Newcastle, and praying for a more extended System of Transportation to that Colony: Also,
"Copy of an Answer to the same."—(*Earl Stanhope.*) 858
After Debate, Motion *agreed to.* (*Parl. P.* 44.)

Prince and Princess of Wales' Annuities Bill (No. 24)—
On Motion of *Earl Granville,* Bill read 2^a, and *committed* to a Committee of the Whole House on *Monday* next 864

Durham University Commission—Motion,
"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her Assent to the Sixteen Ordinances framed by the Durham University Commissioners, on the 13th of June, 1862, for the Government and Administration of that University."—(*The Bishop of Exeter.*) 865
After long Debate, Motion (by leave of the House) *withdrawn.*

COMMONS, FRIDAY, FEBRUARY 27.

Minutes.]—Select Committees—of Selection, *Second Report* (No. 47); on Ordnance, Colonel Dunne *added.*
Supply—*considered* in Committee—Resolutions 1 to 9 [February 26] *reported,* and *agreed to.*
Public Bills.—*First Reading*—Innkeepers' Liability (No. 2) [Bill 43].
Second Reading—Tobacco Duties [Bill 21] (*Debate further adjourned*).
Committee—Bills of Exchange and Notes (Metropolis) [Bill 33].
Report—Bills of Exchange and Notes (Metropolis) [Bill 33].
Third Reading—Bills of Exchange and Notes (Metropolis) [Bill 33]; and *passed.*

Commercial Treaty between France and Italy—Question, Mr. W. E. Forster; Answer, Mr. Layard 872

Convict Establishment at Bermuda—Question, Captain Jervis; Answer, Sir George Grey 872

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APPOINTMENT OF MR. REED—Question, Sir J. Pakington; Answer, Lord C. Paget 873

ARRANGEMENTS AT THE RECENT LEVEE—Question, Sir Minto Farquhar; Answer, Sir George Grey 873

RECEPTION OF THE PRINCESS ALEXANDRA—Question, Sir Robert Clifton; Answer, Sir George Grey 874

BREACH OF PRIVILEGE—Attendance of Mr. E. J. Reed.—Mr. Reed being called in, and having admitted that he had addressed the Letter complained of to Sir Frederic Smith, a Member of this House, Mr. Speaker acquainted him that his Letter had been adjudged a breach of the privileges of this House; and Mr. Reed having offered explanations in respect of the said Letter,

Resolved, That Mr. Reed, having fully apologized to the satisfaction of this House, be now excused from further attendance on this House .. 877

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

AFFAIRS OF POLAND—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, humbly to represent to Her Majesty that certain Treaty obligations have been incurred by England and other Powers with Russia in respect to Poland, and that these Treaty obligations have not been fulfilled by Russia, but were (in the words of Her Majesty's present First Minister) broken almost as soon as concluded:

That these joint obligations are set forth in the first fourteen Articles of the Treaty of Vienna, and that the Emperor of Russia, on the 13th day of May 1815, thus recapitulated them: 'A Constitution; the preservation in public enactments of the Polish language; the restriction of public appointments to Poles; freedom of Commerce; and a national army; and subsequently the same Sovereign, addressing the Poles, said, 'Your restoration is defined by solemn Treaties. It is sanctioned by the Constitutional Chart. The inviolability of these external engagements and of that fundamental law ensures for Poland henceforth an honourable place among European Nations:'

That for many years past not one of these engagements and conditions has been fulfilled:

That it appears from the diplomatic documents which from time to time have been laid before Parliament, that these external engagements of Russia in respect to Poland were avowedly intended by the contracting parties, on the one hand, as a compensation for the loss of her independence by the dismemberment, and, on the other hand, as guarantees for the peace and security of Europe:

That the breach of the solemn engagements thus incurred between England and Russia has recently been described (2nd July 1861) by Her Majesty's First Minister in his place in this House, in the following words:—

'The course which the Government of Russia adopted towards Poland was a complete and decided violation of the Treaties of Vienna. The stipulations of the Treaty of Vienna were broken almost as soon as concluded. Perhaps the greatest violation of a Treaty that has ever taken place in the history of the world was that which occurred in the case of Poland:'

That for years past the Poles have borne with exemplary patience this deliberate violation of their national rights:

That whilst their endurance has attracted the admiration of Europe, it seems to have aroused the worst passions of the Russian authorities:

That the patriotic self-restraint of the unanimous people of Poland has at length given way under an accumulation of outrages unparalleled in these times:

That the Kingdom of Poland is now the scene of desolating conflicts between the troops of Russia and the people thus driven to desperation:

Humbly to submit to Her Majesty that these facts demand the interposition of England in vindication of her own public faith and solemn engagements,"—(*Mr. Hennessy*,)—instead thereof. 879

Question proposed, "That the words proposed to be left out stand part of the Question."

After long Debate, Amendment, by leave, *withdrawn*.

THE IONIAN ISLANDS—Observations, Lord William Graham; Reply, Sir George Lewis 943

Main Question put, and *agreed to*.

SUPPLY *considered* in Committee:—Committee report Progress; to sit again on *Monday* next.

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Tobacco Duties Bill [Bill 21]—
Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd February], "That the Bill be now read a second time;" and which Amendment was, To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the expediency of altering the Laws for raising a Revenue on Tobacco,"—(*Mr. Ayrton,*)—instead thereof:—Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed.* (*Second Night.*) 946
After long Debate, Motion made, and Question put, "That the Debate be now adjourned:"—(*Dr. Brady:*)—The House *divided;* Ayes 71, Noes 137; Majority 66 958
Question again proposed, "That the words proposed to be left out stand part of the Question."
Motion made, and Question put, "That this House do now adjourn:"—(*Sir Hugh Cairns:*)—The House *divided;* Ayes 70, Noes 134; Majority 64 958
Question again proposed, "That the words proposed to be left out stand part of the Question."
Debate arising; Debate *adjourned* till *Monday* next.

Innkeepers' Liability (No. 2) Bill—
On Motion of *Mr. Butt,* Bill to define and limit the Liability of Innkeepers, *ordered* to be brought in by Mr. Butt and Dr. Brady:—Bill *presented,* and read 1°. [Bill 43.]

LORDS, MONDAY, MARCH 2.

MINUTES.]—*Select Committee*—Committee of Selection on Opposed Private Bills, *appointed,* and *nominated.*
PUBLIC BILLS — *First Reading* — Bills of Exchange and Notes (Metropolis) [H.C.] (No. 26).
Second Reading—Drainage of Land (Ireland) (No. 18), and *referred* to a Select Committee: Naval Coast Volunteers Act Amendment [H.L.] (No. 19).
Committee—Prince and Princess of Wales' Annuities (No. 24).
Report—Prince and Princess of Wales' Annuities (No. 24).
Third Reading—Gardens in Towns Protection [H.L.] (No. 14), and *passed.*

OPPOSED PRIVATE BILLS—SELECT COMMITTEE.—The Lords following; namely—L. Colville of Culross, L. Ponsonby, L. Colchester, L. Stanley of Alderley—were *appointed,* with the Chairman of Committees, a Committee to select and propose to the House the Names of the Five Lords to form a Select Committee for the Consideration of each Opposed Private Bill .. 959

Prince and Princess of Wales' Annuities Bill (No. 24)—
Order of the Day for the House to be put into a Committee, and the Lords Summoned, read:
Moved, That the House do now resolve itself into a Committee on the said Bill; *agreed to:* House in Committee accordingly; Bill *reported,* without Amendment; and to be read 3ª *To-morrow* 959

Bills of Exchange and Notes (Metropolis) Bill
Brought from the Commons; and, on the Motion of *The Lord President,* read 1ª. (No. 26.) 960

Drainage of Land (Ireland) Bill (No. 18)—
Moved, That the Bill be now read 2ª (*Viscount Lifford.*) 960
Motion *agreed to:*—Bill read 2ª accordingly; and *referred* to a Select Committee: The Lords following were named of the Committee:—E. Derby, E. Essex, E. Lucan, E. Belmore, V. Lifford, V. Hawarden, L. Boyle, L. Ponsonby, L. Digby, L. Wodehouse, L. Crofton, L. Somerhill, L. Dartrey, and L. Lyveden.

Naval Coast Volunteers Act Amendment Bill [H.L.] (No. 19)—
Moved, That the Bill be now read 2ª. (*The Duke of Somerset.*) .. 962
Motion *agreed to;* Bill read 2ª, and *committed* to a Committee of the Whole House *To-morrow.*

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PUBLIC BILLS — *First Reading*—Admiralty Court (Ireland) [Bill 45]; Assurances Registration (Ireland) [Bill 46].

Committees — Union Relief Aid Act (1862) Continuance [Bill 17]; Corrupt Practices at Elections [Bill 8]; Post Office Savings Banks [Bill 22].

Report — Union Relief Aid Act (1862) Continuance [Bill 44].

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Union Relief Aid Act (1862) Continuance Bill [Bill 17]—

Bill *considered* in Committee:—

(In the Committee.)

Clause 1 (Extension of Powers of Union Relief Aid Act of 1862)—amended, and *agreed to* 968

Clause 2 (Limit of Time for issuing Orders)—amended, and *agreed to* 969

Clause 3 (Construction of the Act)—*agreed to* 969

New Clause (Repayment of Sums borrowed)—"Any sum borrowed under the authority of this Act may be repaid by equal annual instalments, not exceeding fourteen:"—(*Mr. Villiers:*)—*agreed to*, and *added* to the Bill 969

New Clause (Interpretation)—"The word 'expenditure' in section Five of the said Act shall be construed to include the amount paid under any order of contribution issued by the Poor Law Board, pursuant to the said Act or this Act,"—(*Mr. Villiers,*)—*agreed to*, and *added* to the Bill 969

New Clause (Power to Overseers to borrow Money)—(*Mr. Bazley,*)—*agreed to*, and *added* to the Bill 970

New Clause (Power to Public Works Loan Commissioners to advance Money to Unions)—(*Mr. Hibbert,*)—not moved, being irregular 971

After Debate, Bill *reported*; as amended, to be *considered To-morrow.* [Bill 44.]

Tobacco Duties Bill [Bill 21]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd February], "That the Bill be now read a second time;" and which Amendment was, To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the expediency of altering the Laws for raising a Revenue on Tobacco,"—(*Mr. Ayrton,*)—instead thereof:—Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed.* (*Third Night.*) 980

After long Debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill read 2°, and *committed* for *Thursday* 1001

Corrupt Practices at Elections Bill [Bill 8]—

After short Debate, House in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Disqualification of Agents) 1002

Amendment (*Mr. Collins*), *agreed to*

Amendment proposed, in line six, after the word "void," to insert, "And if any voter shall at any time before, during, or after any election, agree for or accept any payment for or in respect of the hire of any room used as a committee-room or otherwise for promoting the election of any candidate, or for or in respect of any meat, drink,

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CORRUPT PRACTICES AT ELECTIONS BILL—Committee—*continued.*

entertainment, or provision furnished by him to any person on the order of any candidate, or any agent of any candidate, for the purpose of influencing any person to vote for such candidate, or to abstain from voting at such election, or on account of any person having voted or promised to vote for such candidate, or refrained or promised to refrain from voting at such election, he shall be incapable of voting for such candidate at such election, and his vote, if given for such candidate, shall be void." —(*Mr. Puller.*)

After short Debate, Amendment *negatived.*

Amendment, Any person hired by candidate as agent, attorney, poll-clerk, messenger, door-keeper, &c., to record his vote at the election, a misdemeanour :—(*Mr. Paget :*) —Amendment *negatived* 1004

Motion to omit the Clause :—(*Mr. Cave :*)—After Debate, Question put, "That the Clause as amended stand part of the Bill :"—The Committee *divided;* Ayes 103, Noes 110 ; Majority 7 1010

Division List—Ayes and Noes.

Clause 3 (Authorized Agents for Payment of Expenses)—amended, and *agreed to* ... 1012

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Clause 7 (General Allegations sufficient in Indictments)—*agreed to.*

Clause 8 (Evidence of Witness on Election Committee and before Commissions)— Amendment (*Mr. Lygon*) :—Question put, "That the words 'no person who is called as a witness' stand part of the Clause :"—The Committee *divided ;* Ayes 104, Noes 96 ; Majority 8 1013

Committee report Progress ; to sit again on *Friday.*

Births and Deaths Registration (Ireland) Bill [Bill 9]—

Bill, as amended, *considered.*

Two Clauses added.

Clause 23 (Appointment of Registrars)—Amendment proposed, in page 7, to leave out from the words "The medical," to the word "district," in line 35, both inclusive, in order to insert the words "The guardians of any union shall appoint a person with such qualifications as the Registrar General may, by any general rule declare to be necessary, to be Registrar of Births and Deaths in each district, and in any case of vacancy in the office of Registrar, shall forthwith fill up the vacancy,"—(*Lord Naas,*) —instead thereof

Question put, "That the words proposed to be left out stand part of the Bill :"—The House *divided ;* Ayes 78, Noes 40 ; Majority 38 1017

Schedule amended.

Bill to be read 3° *To-morrow*

Post Office Savings Banks Bill [Bill 22]—

Bill *considered* in Committee 1018

Committee report Progress ; to sit again *To-morrow.*

Admiralty Court (Ireland) Bill—

On Motion of *Mr. Maguire,* Bill to alter and amend the procedure and practice of the Court of Admiralty in Ireland, *ordered* to be brought in by Mr. Maguire and Mr. Longfield :—Bill *presented,* and read 1°. [Bill 45.] .. 1019

Assurances Registration (Ireland) Bill—

On Motion of *Sir Robert Peel,* Bill for the Registration of Assurances in Ireland, *ordered* to be brought in by Sir Robert Peel, Sir George Grey, and Mr. Solicitor General :—Bill *presented,* and read 1°. [Bill 46.] .. 1019

INLAND REVENUE AND CUSTOMS DEPARTMENTS—

Select Committee on the Inland Revenue and Customs Departments *nominated :*—

Mr. Horsfall, Mr. Peel, Mr. Hankey, Sir Henry Willoughby, Mr. Edward Pleydell Bouverie, Mr. Charles Turner, Mr. Milner Gibson, Lord Robert Montagu, Mr. William Forster, Sir Stafford Northcote, Mr. Hennessy, Mr. Liddell, Mr. Laird, and Sir William Hayter :—Power to send for persons, papers, and records ; Five to be the quorum ... 1019

NAVY (PROMOTION AND RETIREMENT)—

Select Committee on Navy (Promotion and Retirement) *nominated :*—

Mr. Walpole, Sir Francis Baring, Sir John Pakington, Lord Clarence Paget, Sir John Hay, Mr. Stansfeld, Sir James Elphinstone, Mr. Ayrton, Sir Henry Willoughby, Sir Harry Verney, Sir William Miles, Mr. Finlay, Mr. Maguire, Mr. Dodson, and Mr. Scourfield :—Power to send for persons, papers, and records ; Five to be the quorum 1019

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Committee—Naval Coast Volunteers Act Amendment (No. 19).
Report—Naval Coast Volunteers Act Amendment (No. 19).
Third Reading—Prince and Princess of Wales' Annuities (No. 24); Bills of Exchange and Notes (Metropolis) (No. 26), and *passed.*

METROPOLITAN RAILWAYS AND THE DWELLINGS OF THE POOR—Petition from Parishioners of St. Luke's, Chelsea, against the London Railway (Victoria Section) Bill, *presented* by the *The Earl of Shaftesbury*, and *referred* to the Committee sitting upon the Bill 1019

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Bills of Exchange and Notes (Metropolis) Bill (No. 26)—
Bill read 2ª (according to Order); Committee *negatived;* Standing Orders Nos. 37 and 38 *considered* (according to Order), and *dispensed with* on the said Bill:
Bill read 3ª, and *passed* 1020

COMMONS, TUESDAY, MARCH 3.

MINUTES.] — SELECT COMMITTEE — Forest Rights (Essex), *appointed* (*List of the Committee*).
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Second Reading—Municipal Elections [Bill 19], *negatived.*
Considered as amended—Union Relief Aid Act (1862) Continuance [Bill 44].
Third Reading—Births and Deaths Registration (Ireland) [Bill 9]; and *passed.*

REGENT CIRCUS RAILWAY BILL—
Motion made, and Question proposed, "That the Bill be now read a second time." 1021
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Harvey Lewis.*)
After Debate, Question "That the word 'now' stand part of the Question," put, and *negatived:*—Words *added.*
Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

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FOREST RIGHTS AND INCLOSURES—
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"That a Select Committee be appointed to inquire into the legality of inclosures in Waltham, Epping, and other Forests in Essex, and to ascertain what steps ought to be taken to preserve the rights of the public, of the poorer foresters, and the inhabitants of the metropolis, within the Forests, as well as to inquire into their general management."—(*Mr. Torrens.*) 1031
After Debate, Motion, by leave, *withdrawn:*—Then

ROYAL FORESTS (ESSEX)—
On Motion of *Mr. Attorney General*, Select Committee *appointed*,
"To inquire into the condition and management of the Royal Forests in Essex, and into any inclosures which may have taken place therein since the Report of the Commissioners of 1850; and to consider whether it may be expedient to take any steps for preserving the open spaces in the said Forests." 1039

Royal Forests (Essex)—*continued.*

And on March 12, Committee *nominated,* as follow:—

Mr. Torrens, Mr. Attorney General, Sir John Trollope, Mr. Bruce, Mr. Watlington, Viscount Enfield, Lord Lovaine, Mr. Cox, Mr. Gathorne Hardy, Mr. Butler, Mr. Ker Seymour, Mr. Kinnaird, Mr. Macdonogh, Mr. Calthorpe, and Mr. Peacocke.

Metropolis Turnpike Roads Acts Amendment Bill—

On Motion of *Mr. Gathorne Hardy,* Bill to amend the Acts relating to the Turnpike Roads in the neighbourhood of the Metropolis North of the River Thames, *ordered* to be brought in by Mr. Gathorne Hardy and Sir William Jolliffe.

Bill *presented,* and read 1°; and *referred* to the Examiners of Petitions for Private Bills; and to be *printed.* [Bill 47.] 1039

Municipal Elections Bill [Bill 19]—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cox.*) 1040

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Gathorne Hardy.*)

After Debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 58, Noes 93; Majority 35:—Words *added* 1043

Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

COMMONS, WEDNESDAY, MARCH 4.

Minutes.]—Public Bills—*First Reading*—Elections during Recess [Bill 48]; Borough Residence Measurement [Bill 49].
Committee—Register of Voters [Bill 25]; Salmon Fisheries (Ireland) [Bill 1], *Debate adjourned.*
Report—Register of Voters [Bill 25].
Third Reading—Qualification for Offices Abolition [Bill 4]; and *passed.*

Qualifications for Offices Abolition Bill [Bill 4]—

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Hadfield.*) 1043

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Newdegate.*) 1045

After Debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 175, Noes 172; Majority 3.

Main Question put, and *agreed to*:—Bill read 3°, and *passed* .. 1053

Division List—Ayes and Noes.

Register of Voters Bill [Bill 25]—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair." 1055

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Howes,*)—instead thereof. 1055

After short Debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 129, Noes 104; Majority 25.

Main Question put, and *agreed to*:—House in Committee.

(In the Committee.)

Clause 1 (Clerks of the Peace to prepare alphabetical Lists of Voters for Counties)—Amendment proposed, in page 1, line 5, after the word "County" to insert the words "whenever directed by the General or Quarter Sessions for the county."—(*Mr. Howes.*) 1057

Question put, "That those words be there inserted:"—The Committee *divided;* Ayes 76, Noes 99; Majority 23.

Remaining Clauses *agreed to.*

Bill *reported,* without Amendment; to be read 3° *To-morrow.*

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Salmon Fisheries (Ireland) Bill [Bill 1]—
Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. M'Mahon.*) 1057
Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Lord Fermoy,*)—instead thereof.
Question proposed, "That the words proposed to left out stand part of the Question."
Debate arising; Debate *adjourned* till Wednesday, 25th *March.*

Elections during Recess Bill—
On Motion of *Mr. Collins*, Bill to further limit and define the time for proceeding to Election during the Recess, *ordered* to be brought in by Mr. Collins, Mr. Dodson, and Mr. Hennessy:—Bill *presented*, and read 1° [Bill 48.] 1063

Borough Residence Measurement Bill—
On Motion of *Mr. Collins*, Bill to define and render uniform the mode of measuring the Residence required for Electors in Cities and Boroughs, *ordered* to be brought in Mr. Collins, Mr. Paget, and Mr. Ayrton:—Bill *presented*, and read 1°. [Bill 49.] 1063

LORDS, THURSDAY, MARCH 5.

Minutes.]—Public Bills—*First Reading*—Redemption of Rents (Ireland) (No. 29); Births and Deaths Registration (Ireland) (No. 30); Qualification for Offices Abolition (No. 31).
Third Reading—Naval Coast Volunteers Act Amendment (No. 19); and *passed.*
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Redemption of Rents (Ireland) Bill [H. L.]—
A Bill to facilitate the Redemption and Extinguishment of Rents in Ireland —Was *presented* by the Lord Chelmsford; read 1ª; and to be *printed.* (No. 29.) 1065

Births and Deaths Registration (Ireland) Bill—
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Qualification for Offices Abolition Bill—
Brought from the Commons, and read 1ª. (No. 31.) 1065

COMMONS, THURSDAY, MARCH 5.

Minutes.]—Select Committee—on Inland Revenue and Customs, Sir E. Grogan *added.*
Supply—The Navy Estimates—*considered* in Committee.
Public Bills — *Resolution in Committee*—Burials.
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Second Reading — Marriages, &c. (Ireland) [Bill 32].
Committee—Malt Duty [Bill 37]; Post Office Savings Banks [Bill 22].
Report — Malt Duty [Bill 37]; Post Office Savings Banks [Bill 22].
Third Reading — Union Relief Aid Act (1862) Amendment [Bill 44]; and *passed;* Register of Voters [Bill 25]; and *passed.*

Naval Prize Money—Question, Sir John Hay; Answer, Lord Clarence Paget.. 1065

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TREASURE TROVE—Observations, Sir Jervoise Jervoise; Answer, Mr. Peel 1069

OBSOLETE VESSELS OF WAR—Observations, Mr. Cobden 1071

After long Debate, Motion *agreed to.*

SUPPLY—NAVY ESTIMATES—*considered* in Committee:—

(In the Committee.)

(1.) £433,298, New Works, Improvements, &c. 1109
After Debate, *agreed to.*

(2.) £66,000, Medicines and Medical Stores.

(3.) £99,370, Naval Miscellaneous Services.

(4.) £719,341, Half Pay, &c.

(5.) £483,105, Military Pensions and Allowances.

(6.) £194,932, Civil Pensions and Allowances.

(7.) £270,150, Freight of Ships.

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Tobacco Duties Bill [Bill 21]—

Order for Committee read:—After short Debate, Committee *deferred* till *To-morrow* 1114

Malt Duty Bill [Bill 37]—

Bill *considered* in Committee:— 1115

(In the Committee.)

Clause 1 (Credit for Payment of a Portion of Excise Duty on Malt extended)—Clause amended, and *agreed to.*

Remaining Clauses *agreed to.*

Bill *reported;* as amended, to be *considered To-morrow.*

Post Office Savings Banks Bill [Bill 22]—

Bill *considered* in Committee:— 1115

(In the Committee.)

Clause 1 (Transfer of Trust and Joint Accounts, and Accounts of Minors)—Amendment proposed, "That in the case of minors, the money so transferred shall not be withdrawn, except with the consent of the Postmaster General, or of any two trustees or managers of the savings bank to which the transfer is made, until the minor shall have attained the age at which it might have been withdrawn under the rules of the savings bank from which it was transferred, a note whereof shall be made on the said certificate:"—(*Mr. Chancellor of the Exchequer:*)—Motion *agreed to.*

Clause, as amended, *agreed to* 1115

Clause 2 (On Closing of Savings Banks, Funds, &c., to be paid over to Commissioners)—Proviso, "That trustees of savings banks which are desirous of closing shall have power to compensate their officers out of any separate surplus fund that may belong to any such savings banks, with the consent of the Commissioners for the Reduction of the National Debt."—(*Mr. Ayrton.*)

Proviso inserted:—Clause *agreed to.*

Clauses 3 and 4 *agreed to* 1116

Clause 5 (Warrant to be laid before Parliament)—*agreed to* 1117

New Clause (Appointment of Managers to sign Transfer Certificates)—"That the trustees of any savings bank, at a meeting called for that purpose, may appoint any number of managers to sign transfer certificates; and that the signatures of any two of such managers to a transfer certificate should be a sufficient authority to the Commissioners for the Reduction of the National Debt to transfer the amount set forth in such certificate; provided that a list of such managers, with their signatures, certified by two trustees, should have been previously deposited with the Commissioners for the Reduction of the National Debt,"—(*Mr. Chancellor of the Exchequer,*)—added to the Bill 1117

Bill *reported;* as amended, to be *considered To-morrow.*

Marriages (Ireland) Bill [Bill 32]—

Moved, That the Bill be now read 2°.—(*Mr. Vance.*) 1118

After short Debate, Motion *agreed to;* Bill read 2°, and *committed* for *Friday* 13th *March.*

Burials Bill— *Page*

Burials—*considered* in Committee.

(In the Committee.)

On Motion of *Sir Morton Peto,*

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to make further provision with respect to Burials in England and Wales.

Resolution *reported*:—Bill *ordered* to be brought in by Sir Morton Peto and Sir Charles Douglas:—Bill *presented,* and read 1^{o}. [Bill 50.] .. 1120

Hares (Ireland) Bill—

On Motion of *Mr. Hassard,* Bill to amend the Law relative to the sale of Hares in Ireland, *ordered* to be brought in by Mr. Hassard and Mr. Dudley Fortescue:—Bill *presented,* and read 1^{o}. [Bill 51.] 1121

LORDS, FRIDAY, MARCH 6.

Minutes.]—Public Bills—*First Reading*—Register of Voters (No. 34); Union Relief Aid Act (1862) Continuance (No. 35).

Second Reading—Illegitimate Children (Ireland) (No. 17); Poor Relief (Ireland) Act Amendment (No. 12), *referred* to a Select Committee.

Select Committees—Drainage of Land (Ireland) Bill, *Report* (No. 32); Illegitimate Children (Ireland) (No. 17), and Poor Relief (Ireland) Act Amendment (No. 12), *appointed* (*List of the Committee*).

Report—Drainage of Land (Ireland) (No. 33).

Drainage of Land (Ireland) Bill (No. 18)—

Report from Select Committee made, and to be *printed* (No. 32): Bill *reported,* with Amendments, and *committed* to a Committee of the Whole House on *Friday* next; and to be *printed* as amended. (No. 33.)

Register of Voters Bill (No. 34)—

Brought from the Commons, and read 1^{a}.

Union Relief Aid Act (1862) Continuance Bill (No. 35)—

Brought from the Commons, and read 1^{a}.

Illegitimate Children (Ireland) Bill (No. 17)—

Moved, That the Bill be now read 2^{a}.—(*The Duke of Newcastle.*) .. 1121

Amendment *moved,* to leave out ("now") and insert ("this Day Six Months.")—(*Viscount Lifford.*) 1122

After Debate, Amendment (by leave of the House) *withdrawn:* Then the Original Motion *agreed to;* Bill read 2^{a} accordingly, and *referred* to a Select Committee:—And

Poor Relief (Ireland) Act Amendment Bill [H.L.] (No. 12)—

On Motion of *Viscount Lifford,* Bill read 2^{a}, and *referred* to the same Select Committee 1125

And on *Monday* next the Lords following were named of the Committee:—Ld. Chancellor, D. Marlborough, D. Newcastle, Ld. Steward, V. Lifford, V. Hawarden, L. Boyle, L. Ponsonby, L. Somerhill, L. Stanley of Alderley, L. Monteagle of Brandon, L. Chelmsford.

Courts of Law (Ireland)—Judicial Statistics—Address *moved* for a series of tabular Returns relating to Judicial Business in Ireland (*The Marquess of Clanricarde*): Motion *agreed to* 1125

The Galway Packet Contract—Question, The Earl of Hardwicke; Answer, Lord Stanley of Alderley 1125

COMMONS, FRIDAY, MARCH 6.

Minutes.]—Select Committee—On Inland Revenue and Customs Establishments, Mr. M. Gibson, Mr. Peel *discharged;* Mr. Cardwell, Mr. Bagwell, *added.*

Supply—*considered* in Committee: Resolutions 1 to 7 (March 5) *reported,* and *agreed to.*

Resolution in Committee—Customs Acts (Tobacco Duties).

Public Bills—*First Reading*—Bakehouses Regulation [Bill 54]; English Church Services in Wales (*Lords*) [Bill 53]; Naval Coast Volunteers Act Amendment (*Lords*) [Bill 55].

Second Reading—Education of Factory Children [Bill 28], *Debate adjourned;* Bleaching and Dyeing Works Act Amendment [Bill 29].

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The Royal Marriage—Adjournment—Notice, Viscount Palmerston .. 1130

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Brazil—Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words—

"This House has learned with regret the interruption of amicable relations between this Country and Brazil; and this House expresses the desire that Her Majesty's Government may take such measures to restore a cordial understanding between the two Countries as may be consistent with the character and honour of this Country, having at the same time a just regard to the dignity and honour of a friendly and independent Power,"—(*Mr. Bramley-Moore,*)—instead thereof. 1130

After long Debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Supply *considered* in Committee 1207
Committee report Progress; to sit again on *Monday* next.

Customs Acts (Tobacco Duties)—
Customs Acts (Tobacco Duties) *considered* in Committee:— 1208
(In the Committee.)
On Motion of *Mr. Chancellor of the Exchequer,* it was *Resolved,* That the Duty of Customs on unmanufactured Tobacco imported into Great Britain and Ireland, which shall contain less than 10 lbs. per cent of moisture, shall be per lb. 3*s.* 6*d.*
Resolution to be reported on *Monday* next.

Education of Factory Children Bill [Bill 28]—
Motion made, and Question proposed, "That the Bill be now read a second time;"—(*Mr. Baxter.*) 1208
Debate arising; Debate *adjourned* till *Wednesday* 18th March.

Select Committee on Inland Revenue and Customs Establishments—
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Bakehouse Regulation Bill—
On Motion of *Mr. Bruce,* Bill for the Regulation of Bakehouses, *ordered* to be brought in by Mr. Bruce and Sir George Grey:—Bill *presented,* and read 1°. [Bill 54.] 1211

LORDS, MONDAY, MARCH 9.

Brazil—Observations, The Duke of Somerset, The Earl of Malmesbury .. 1211

Charging of Entailed Estates for Railways—On Motion of *Earl Grey,* Select Committee *appointed,*

"To inquire whether it is proper that the Power already given to Land Owners to charge their Estates with Terminable Annuities, in order to raise Money for the Improvement of their Land by draining and building, should be extended, so as to enable them to raise Money on similar Terms for the purpose of taking Shares in Railways calculated to increase the Value of their Property: And further to inquire under what Conditions and Limitations such Power ought to be granted, if given at all:"—And

The Lords following were named of the Committee:—E. Devon, E. Hardwicke, E. Carnarvon, E. Romney, E. Grey, E. Minto, E. Cathcart, E. Stradbroke, E. Eversley, L. Wodehouse, L. Stanley of Alderley, L. Llanover, L. Taunton.

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MINUTES.]—SUPPLY—ARMY ESTIMATES—*considered* in Committee.

WAYS AND MEANS — *considered* in Committee — Resolution, Consolidated Fund (£10,000,000.)

RESOLUTION IN COMMITTEE—*reported*, Customs Acts (Tobacco Duties).

PUBLIC BILLS—*Second Reading*—Salmon Exportation [Bill 42]; Naval Coast Volunteers Act Amendment (*Lords*) [Bill 55].

Committee—Tobacco Duties [Bill 21]; Bleaching and Dyeing Works Act Amendment [Bill 29].

Report—Tobacco Duties [Bill 56], and *re-committed.*

Considered as amended—Post Office Savings Banks [Bill 22].

Third Reading—Malt Duty [Bill 37]; and *passed.*

ENGLISH POLICE IN POLAND—Question, Mr. Hennessy; Answer, Sir George Grey 1225

THE VOLUNTEER ACT — Question, Mr. Arthur Mills; Answer, Sir George Lewis 1227

EDUCATION — EXAMINATION OF ACTING TEACHERS — Question, Mr. Adderley; Answer, Mr. Lowe 1228

THE BUDGET—Question, Mr. Thomson Hankey; Answer, The Chancellor of the Exchequer 1228

ARMY—STAFF APPOINTMENTS — Question, Sir John Trelawny; Answer, Sir George Lewis 1229

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

TRANSPORTATION AND PENAL SERVITUDE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, thanking Her Majesty for having issued a Commission of Inquiry into the operation of the Acts relating to Transportation and Penal Servitude, and into the manner in which sentences under the provisions of those Acts have been carried out; and praying that, pending that inquiry, the conditions on which any remission of punishment, or Licences to be at large, are given, may be strictly enforced according to the intentions of those Acts,"—(*Mr. Adderley,*)—instead thereof. 1229

Question proposed, "That the words proposed to be left out stand part of the Question."

After Debate, Amendment, by leave, *withdrawn.*

ACCOUNTS OF ARMY EXPENDITURE—Observations, Sir Henry Willoughby; Reply, Sir George Lewis 1251

Main Question put, and *agreed to.*

SUPPLY *considered* in Committee—ARMY ESTIMATES 1254

(In the Committee.)

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 148,242 (including 9,349, all ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions, but exclusive of the numbers actually serving within Her Majesty's Indian Possessions), be maintained during the year ending on the 31st day of March 1864."—(*Sir George Lewis.*) 1262

Whereupon, Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 138,242 (including 9,349, all ranks, to be employed with the Depots in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions, but exclusive of the numbers actually serving within Her Majesty's Indian Possessions), be maintained during the year ending on the 31st day of March 1864."—(*Mr. Williams.*) 1270

Question put:—The Committee *divided;* Ayes 19, Noes 77; Majority 58.. 1276

Original Question put, and *agreed to.*

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SUPPLY—Army Estimates—*continued.*

Motion made, and Question proposed,

"That a sum, not exceeding £5,709,733, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1864 inclusive."—(*Sir George Lewis.*) 1276

Whereupon, Motion made, and Question proposed,

"That a sum, not exceeding £5,671,733, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1864 inclusive."—(*General Peel.*) 1276

Question put:—The Committee *divided;* Ayes 58, Noes 64; Majority 6.. 1279

Original Question again proposed:—

Whereupon, Motion made, and Question proposed,

"That a sum, not exceeding £5,454,733, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1864 inclusive."—(*Sir Morton Peto.*) 1279

Question put:—The Committee *divided;* Ayes 28, Noes, 96; Majority 68 1280

Original Question again proposed:—

Whereupon, Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again:"—(*Sir John Trelawny:*)—The Committee *divided;* Ayes 25, Noes 80; Majority 55 .. 1283

Original Question again proposed:—

Whereupon, Motion made, and Question, "That the Chairman do now leave the Chair,"—(*Mr. White,*)—put, and *negatived* 1284

Resolution to be reported on *Wednesday;* Committee to sit again on *Wednesday.*

WAYS AND MEANS *considered* in Committee:—

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty, the sum of £10,000,000 be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland 1284

Resolution to be reported on *Wednesday;* Committee to sit again on *Wednesday.*

Customs Acts (Tobacco Duties)—Resolution *reported,* "That the Duty of Customs on unmanufactured Tobacco imported into Great Britain and Ireland, which shall contain less than 10 lbs. per cent of moisture, shall be . . . . . per lb. 3*s.* 6*d.*".. 1285

Resolution *agreed to.*

Tobacco Duties Bill [Bill 21]—

Bill *considered* in Committee, and *reported;* to be *printed,* as amended [Bill 56]; *re-committed* for *Thursday* 19th March. 1285

COMMONS, WEDNESDAY, MARCH 11.

Minutes.]—Supply—Army Estimates—Resolution (March 9) *reported.*

Public Bills — *Resolution in Committee* (Ways and Means), £10,000,000 (Consolidated Fund)—Resolution (Mar. 9) *reported.*

Ordered—Consolidated Fund (£10,000,000); Mutiny.

Second Reading—Affirmations [Bill 11], *negatived;* Security from Violence [Bill 35]; Gardens in Towns Protection (*Lords*) [Bill 50]; London Coal and Wine Duties Continuance [Bill 27]; Thames Embankment (North Side) [Bill 23], and *committed* to Select Committee (*List of Committee*).

Committee—Salmon Exportation [Bill 42]; Bleaching and Dyeing Works Act Amendment [Bill 29], on *re-commitment.*

Report — Salmon Exportation [Bill 42]; Bleaching and Dyeing Works Act Amendment [Bill 29].

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Affirmations Bill [Bill 11]—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir John Trelawny.*) 1285

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Attorney General.*) 1290

After Debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 96, Noes 142; Majority 46:—Words *added.*

Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months. [For Division List, Ayes and Noes, *see* APPENDIX.]

Security from Violence Bill [Bill 35]—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Adderley.*) 1303

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Hadfield.*) 1305

After Debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 131, Noes 68; Majority 63 .. 1313

Main Question put, and *agreed to:*—Bill read 2°, and *committed* for *To-morrow.*

Thames Embankment (North Side) Bill [Bill 23]—

Moved, "That the Bill be now read a second time."—(*Mr. Cowper.*) .. 1313

After Debate, Bill read 2°, and *committed* to a Select Committee.

And on Tuesday, March 17, Committee *nominated,* as follow:—Mr. Cowper, Mr. William Cubitt, Mr. Bramston, Mr. Tite, Mr. Western Wood, Mr. Ayrton, and Five Members to be nominated by the Committee of Selection.

Mutiny Bill—

Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters, *ordered* to be brought in by Mr. Massey, Sir George Lewis, and the Judge Advocate 1314

LORDS, THURSDAY, MARCH 12.

MINUTES.]—PUBLIC BILLS—*First Reading*—Malt Duty (No. 38).
Select Committee—Illegitimate Children (Ireland) Bill, and Poor Relief (Ireland) Act Amendment Bill, Earl of Belmore *added* in place of Lord Chelmsford.

Malt Duty Bill—

Brought from the Commons, and read 1ª.—(*The Lord President.*) (No. 38.) 1315

GREAT EASTERN RAILWAY (NEW METROPOLITAN STATION AND BRANCHES) BILL—

Adjourned Debate [February 23], on Motion, That the Bill be now read 2ª, resumed (according to Order.) 1315

Amendment *moved* on the said Motion, to leave out ("now") and insert ("this Day Six Months.")—(*The Earl of Shaftesbury.*) 1315

Further Debate arising; Debate adjourned to *Thursday 26th instant.*

COMMONS, THURSDAY, MARCH 12.

MINUTES.]—SELECT COMMITTEE—Royal Forests (Essex) *nominated* (see March 3).
SUPPLY — NAVY ESTIMATES — *considered* in Committee.
PUBLIC BILLS—*Ordered*—Trustees (Scotland) Act Amendment.
First Reading—Marine Mutiny; Mutiny; Inclosure [Bill 58].
Second Reading—Hares (Ireland) [Bill 51].
Committee — Telegraphs [Bill 38]; Naval Coast Volunteers Act Amendment [Bill 55].
Report—Telegraphs; Naval Coast Volunteers Act Amendment [Bill 55].
Considered as amended—Bleaching and Dyeing Works Act Amendment [Bill 29].
Third Reading—Salmon Exportation [Bill 42]; and *passed.*

RECEPTION OF THE PRINCESS ALEXANDRA—Question, General Buckley; Answer, Sir George Grey 1324

EMIGRATION OF PAUPERS—Question, Mr. Stanley; Answer, Mr. C. P. Villiers .. 1324

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Indian Medical Service—Question, Mr. Remington Mills; Answer, Sir Charles Wood 1325

Mail Contract for the Cape—Question, Sir Morton Peto; Answer, Mr. Peel 1326

Poll Tax at Smyrna—Question, Mr. Wyld; Answer, Mr. Layard .. 1326

The Nabobs of the Carnatic—Question, Mr. H. Baillie; Answer, Sir Charles Wood 1327

Poor Relief (Ireland) Act—Question, Sir Edward Grogan; Answer, Sir Robert Peel 1328

Fairs and Markets in Ireland—Question, Mr. Blake; Answer, Sir Robert Peel 1328

English Police in Poland—Question, Mr. Hennessy; Answer, Sir George Grey 1329

Sentences on Convicts—Question, Mr. Arthur Mills; Answer, Sir George Grey 1331

Ostend and Calais Mails Contract—Question, Mr. Berkeley; Answer, The Chancellor of the Exchequer 1331

Condition of Southern Italy—Question, Mr. Cavendish Bentinck; Answer, Mr. Layard 1332

South Entrance to Park Lane — Question, Mr. Goddard; Answer, Mr. Cowper 1332

Marine Mutiny Bill—

Bill for the Regulation of Her Majesty's Royal Marine Forces while on shore, *presented*, and read 1°. 1333

Mutiny Bill—

Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters, *presented*, and read 1°. 1333

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"— 1333

Navy—Wooden Frames for Iron Ships—Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "it is not expedient to commence at the present time building Wooden Ships which are to be cased with Iron Armour Plates,"—(*Mr Lindsay*,)—instead thereof 1333

After long Debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 154, Noes 81; Majority 73 1390

Main Question put, and *agreed to.*

Supply *considered* in Committee.

Committee report Progress; to sit again *To-morrow.*

Inclosure Bill—

On Motion of *Mr. Bruce*, Bill to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. Bruce and Sir George Grey:—Bill *presented*, and read 1°. [Bill 58.] 1390

Trustees (Scotland) Act Amendment Bill—

On Motion of *The Lord Advocate*, Bill to explain the Act for the amendment of the Law relative to Gratuitous Trustees in Scotland, *ordered* to be brought in by The Lord Advocate and Sir William Dunbar .. 1390

LORDS, FRIDAY, MARCH 13.

Minutes.]—Public Bills—*First Reading*—Salmon Exportation (*Commons*) (No. 39). *Second Reading*—Births and Deaths Registration (Ireland) (No. 30); Malt Duty (No. 38). *Committee*—Drainage of Land (Ireland) (No. 33).

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Salmon Exportation Bill—
Brought from the Commons, and read 1ª.—(*The Lord Stanley of Alderley.*) (No. 39.) 1390

Births and Deaths Registration (Ireland) Bill (No. 30)—
Moved, That the Bill be now read 2ª.—(*The Earl of St. Germans.*) .. 1390
After short Debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next .. 1391

ECCLESIASTICAL PATRONAGE OF THE LORD CHANCELLOR—Observations, The Earl of Shaftesbury, The Lord Chancellor .. .. ..

COMMONS, FRIDAY, MARCH 13.

MINUTES.]—SUPPLY—ARMY ESTIMATES—*considered* in Committee.
PUBLIC BILLS—*First Reading*—Consolidated Fund (£10,000,000); Borough Residence Uniform Measurement [Bill 60]; Trustees Act Amendment (Scotland) [Bill 59].
Committee—Post Office Savings Banks *recommitted* in respect of Clause 1; *considered*, and *reported.*
Third Reading—Bleaching and Dyeing Works Act Amendment [Bill 29], and *passed.*
Bill withdrawn—Borough Residence Measurement [Bill 49].

CAPE GERMAN SETTLERS—Question, Sir Henry Willoughby; Answer, Sir George Lewis 1392

CLAIMS UPON OUDE—Question, Colonel French; Answer, Sir Charles Wood .. 1393

FUSTIAN-CUTTING OPERATIVES—Question, Colonel Wilson Patten; Answer, Sir George Grey 1393

DELHI PRIZE MONEY—Question, Mr. MacEvoy; Answer, Sir Charles Wood .. 1394

THE ARMSTRONG AND WHITWORTH GUNS—Question, Sir James Fergusson; Answer, Sir George Lewis 1394

DISEASE IN ROTHERHAM—Question, Mr. Childers; Answer, Sir George Grey .. 1395

OFFICERS OF THE COURT OF PROBATE—Question, Mr. Hennessy; Answer, Mr. Peel 1395

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE METROPOLITAN AND CITY POLICE—Observations, Sir De Lacy Evans; Reply, Sir George Grey 1396, 1404

THE VOLUNTEERS IN HYDE PARK—Question, Lord Elcho; Answer, Sir George Lewis 1409, 1410

COLONEL BURGEVINE AND HIS CHINESE CORPS—Question, Colonel Sykes; Answer, Mr. Layard 1416, 1420

ITALY—AFFAIRS OF ROME—Observations, Mr. Stirling; Reply, Mr. Layard 1416, 1421

AFFAIRS OF JAPAN—Observations, Mr. Henry Seymour; Reply, Mr. Layard 1419, 1422

Motion *agreed to.*

SUPPLY *considered* in Committee—ARMY ESTIMATES:— 1426

(In the Committee.)

(1.) £5,709,733, General Staff and Regimental Pay Allowances and Charges 1426
After long Debate, Vote *agreed to.*

(2.) Motion made, and Question proposed,
"That a sum, not exceeding £1,223,936, be granted to Her Majesty, to defray the Charge of the Commissariat Establishment, Services, and Movement of Troops, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive." 1446

Whereupon, Motion made, and Question proposed, "That the item of £80,424, for Commissariat Establishment and Transport of Troops in the Colonies, be omitted from the proposed Vote."—(*Mr. Arthur Mills.*) .. 1446
After Debate, Motion, by leave, *withdrawn.*

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SUPPLY—ARMY ESTIMATES—*continued.*

Original Question again proposed :—

Whereupon, Motion made, and Question proposed,

"That a sum, not exceeding £1,143,936, be granted to Her Majesty, to defray the Charge of the Commissariat Establishment, Services, and Movement of Troops, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."—(*Mr. Arthur Mills.*) 1456

Question put:—The Committee *divided;* Ayes 65, Noes 71; Majority 6.

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £630,385, be granted to Her Majesty, to defray the Charge of the Clothing Establishments, Services, and Supplies, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive." ... 1457

Whereupon, Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Colonel Dickson.*) .. 1457

Motion, by leave, *withdrawn.*

Original Question again proposed :—

Whereupon, Motion made, and Question proposed,

"That a sum, not exceeding £605,385, be granted to Her Majesty, to defray the Charge of the Clothing Establishments, Services, and Supplies, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."—(*Colonel Dickson.*) 1457

After short Debate, Question put, and *negatived.*

Original Question put, and *agreed to.*

Resolutions to be reported on *Monday* next; Committee to sit again on *Monday* next.

Consolidated Fund (£10,000,000) Bill—

Bill to apply a sum out of the Consolidated Fund to the Service of the year one thousand eight hundred and sixty-three, *presented,* and read 1°. .. 1461

Borough Residence Uniform Measurement Bill—

On Motion of *Mr. Collins,* Bill to define and render uniform the mode of measuring the Residence required for Electors in Cities and Boroughs, *ordered* to be brought in by Mr. Collins, Mr. Paget, and Mr. Ayrton:—Bill *presented,* and read 1°. [Bill 60.] 1461

Trustees Act Amendment (Scotland) Bill—

Bill to explain the Act for the Amendment of the Law relative to Gratuitous Trustees in Scotland, *presented,* and read 1°. [Bill 59.] 1461

LORDS, MONDAY, MARCH 16.

MINUTES.]—PUBLIC BILLS—*First Reading*—Leases and Sales of Settled Estates Act Amendment [H. L.] (No. 42). *Second Reading*—Union Relief Aid Act (1862) Amendment (No. 35); Salmon Exportation (No. 39). *Third Reading*—Malt Duty (No. 38), and *passed.*

Leases and Sales of Settled Estates Act Amendment Bill [H. L.]—

A Bill to amend the Settled Estates Act, 1856—Was *presented* by The Lord Chancellor; and read 1^{a}. (No. 42.) 1462

Bleaching and Dyeing Works Act Amendment Bill—

Brought from the Commons, and read 1^{a}. (No. 43.) 1462

Union Relief Aid Act (1862) Continuance Bill (No. 35)—

Moved, That the Bill be now read 2^{a}.—(*Earl Granville.*) 1462

Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

Salmon Exportation Bill (No. 39)—

Moved, That the Bill be now read 2^{a}.—(*Lord Stanley of Alderley.*) .. 1463

After short Debate, Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

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COMMONS, MONDAY, MARCH 16.

Minutes.]—New Writ Issued—For Lancaster County (Northern Division), *v.* Marquess of Hartington, Commissioner of the Admiralty.

Supply — Army Estimates — *considered* in Committee; Resolutions (March 13) *reported.*

Public Bills — *Second Reading* — Consolidated Fund (£10,000,000); Mutiny; Trustees (Scotland) Act Amendment [Bill 59]; Metropolis Turnpike Roads Act Amendment [Bill 47].

Committee—Hares (Ireland) [Bill 51].

Considered as amended—Post Office Savings Banks [Bill 22].

Third Reading—Naval Coast Volunteers Act Amendment (*Lords*) [Bill 55]; and *passed.*

Education—Postponement of Motion, Mr. Walter 1465

Officers of the East India Company's Army—Question, Captain Jervis; Answer, Sir Charles Wood 1465

Fires in the Metropolis—Question, Mr. Peacocke; Answer, Sir George Grey 1467

Cast Iron Ordnance—Question, Mr. Kinnaird; Answer, Sir George Lewis.. 1467

Tobacco Duties Bill [Bill 56]—Question, Mr. Crawford; Answer, The Chancellor of the Exchequer 1468

Endowed Schools Bill—Irish Church—Question, Mr. Walpole; Answer, Mr. Dillwyn 1468

English Police in Poland—Question, Mr. Hennessy; Answer, Sir George Grey 1469

Ordered, That the Orders of the Day be postponed till after the Notice of Motion relative to Greece.

Greece—Motion made, and Question proposed, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of further Correspondence relating to the Affairs of Greece."—(*Mr. Baillie Cochrane.*) .. 1470

After long Debate, Motion, by leave, *withdrawn* 1540

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Stoppage of Officers' Pay for Forage—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, To-morrow, resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying that She will be graciously pleased to give directions that the stoppage from the pay of Cavalry and Horse Artillery Officers for forage be discontinued,"—(*Colonel Barttelot,*)—instead thereof 1540

Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 107, Noes 75; Majority 32 1543

Main Question put, and *agreed to.*

Supply *considered* in Committee—Army Estimates:—

(In the Committee.)

(1.) £635,637, Barrack Establishment 1544
After Debate, Vote *agreed to.*

(2.) £46,097, Divine Service, *agreed to* 1545

(3.) £43,012, Martial Law 1545
After short Debate, Vote *agreed to.*

(4.) £255,993, Medical Establishments 1546
After short Debate, Vote *agreed to.*

(5.) £751,084, Disembodied Militia 1547
After short Debate, Vote *agreed to.*

(6.) £94,162, Yeomanry 1547

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Lord Lovaine.*)

Motion, by leave, *withdrawn.*

Vote *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

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Naval Coast Volunteers Act Amendment Bill (*Lords*) [Bill 55]—

Motion made, and Question proposed, "That the Bill be now read the third time." 1547

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. H. Berkeley.*) 1548

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to*:—Bill read 3ᵒ, and *passed.*

LORDS, TUESDAY, MARCH 17.

MINUTE.]—UNION RELIEF AID ACT (1862) CONTINUANCE BILL (No. 35)—House in Committee (according to Order); Bill *reported,* without Amendment.

EDINBURGH CASTLE—GUNPOWDER STORE—Question, The Earl of Airlie; Answer, The Earl of Dalhousie 1549

COMMONS, TUESDAY, MARCH 17.

MINUTES.]—PUBLIC BILLS—*Ordered*—Public-houses.
First Reading—Sale of Gas Act Amendment [Bill 61]; Writs Prohibition (No. 2) [Bill 62]; Statute Labour Roads and Bridges (Scotland) [Bill 63]; Statute Labour Roads and Bridges (Scotland) Transfer [Bill 64]; Thames Embankment (South Side) [Bill 65].
Select Committee—on Thames Embankment (North Side) Bill, *nominated.*
Committee—Consolidated Fund (£10,000,000).
Report—Consolidated Fund (£10,000,000).
Third Reading—Post Office Savings Banks [Bill 22]; and *passed.*
Bill withdrawn—Writs Prohibition [Bill 34].

TICKETS OF LEAVE—Question, Mr. Perry Watlington; Answer, Sir George Grey 1551

BANKRUPTCY RETURNS—Question, Mr. Murray; Answer, The Attorney General 1551

RIOTS AT CORK—Question, Mr. Vance; Answer, Sir Robert Peel .. 1552

Public-houses Bill—

Motion made, and Question put, "That leave be given to bring in a Bill for closing Public-houses on Sunday:"—(*Mr. Somes:*)—The House *divided;* Ayes 141, Noes 52; Majority 89. 1552

Bill *ordered* to be brought in by Mr. Somes and Mr. Pease.

GAME LAWS—Motion made, and Question proposed, "That a Select Committee be appointed, to inquire into the operation of the Laws relating to Game, and to report whether in their opinion any, and if any what, alterations are required therein."—(*Mr. W. E. Forster.*) 1554

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that the appointment of a Select Committee to inquire into the operation of the Game Laws, should be postponed until further experience shall have been obtained of the working of 'The Prevention of Poaching Act, 1862,'"—(*Mr. Thompson,*)—instead thereof 1564

Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 157, Noes 176; Majority 19:—Words *added* 1572

Main Question, as amended, put, and *agreed to.*

Resolved,

That, in the opinion of this House, it is desirable that the appointment of a Select Committee to inquire into the operation of the Game Laws, should be postponed until further experience shall have been obtained of the working of "The Prevention of Poaching Act, 1862."

COLLEGE OF ARMS—CHANGE OF NAMES—Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of the names of all persons who have applied for Licences to change their names since 1850."—(*Mr. Roebuck.*) 1573

Motion, by leave, *withdrawn* 1584

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CHANGE OF NAMES—Address for
"Returns of the number of applications for Royal Licence for a change of Name since 1850:"
"Of the number of Licences granted since the same date:"
"Of the amount of Fees payable on the grant of the Licence:"
"And, of the manner in which the Fees were applied."—(*Mr. Roebuck.*) ... 1584

GRANTS OF ARMS—Address for
"Return of the number of applications for Grants of Arms, or for power to change existing Arms, since 1850; the number of such applications complied with, and the amount of Fees payable thereon."—(*Mr. Roebuck.*) 1584

Thames Embankment (South Side) Bill—
On Motion of *Mr. Cowper*, Bill for the Embankment of part of the River Thames on the South side thereof, in the parish of Saint Mary Lambeth; and for other purposes,—(after Debate) *ordered* to be brought in by Mr. Cowper and Mr. Peel 1584
Bill *presented*, and read 1°; and *referred* to the Examiners of Petitions for Private Bills; and to be *printed*. [Bill 65.]

Post Office Savings Banks Bill [Bill 22]—
Moved, "That the Bill be now read the third time."—(*Mr. Chancellor of the Exchequer.*) 1588
After short Debate, Bill read 3°, and *passed*.

Thames Embankment (North Side) Bill—
Select Committee on the Thames Embankment (North Side) Bill *nominated*:—Mr. Cowper, Mr. William Cubitt, Mr. Bramston, Mr. Tite, Mr. Western Wood, Mr. Ayrton, and Five Members to be nominated by the Committee of Selection 1589

Statute Labour Roads and Bridges (Scotland) Bill—
On Motion of *Sir John Ogilvy*, Bill to amend the Law with respect to Statute Labour Roads and Bridges in Scotland, *ordered* to be brought in by Sir John Ogilvy, Sir James Fergusson, Sir Andrew Agnew, and Mr. William Leslie:—Bill *presented*, and read 1°. [Bill 63.] 1590

Statute Labour Roads and Bridges (Scotland) Transfer Bill—
On Motion of *Sir John Ogilvy*, Bill to provide for the Transfer of the management of the Statute Labour Roads and Bridges within burghs in Scotland, *ordered* to be brought in by Sir John Ogilvy and Mr. Kinnaird:—Bill *presented*, and read 1°. [Bill 64.] 1590

Sale of Gas Act Amendment Bill—
On Motion of *Mr. Bruce*, Bill for amending the Act for regulating Measures used in Sales of Gas, *ordered* to be brought in by Mr. Bruce and Sir George Grey:—Bill *presented*, and read 1°. [Bill 61.] 1590

Writs Prohibition (No. 2) Bill—
On Motion of *Mr. E P. Bouverie*, Bill to prohibit the issue of Writs for Actions of Debt in the Superior Courts for sums of less than twenty pounds, *ordered* to be brought in by Mr. Edward Pleydell Bouverie and Mr. Hardcastle:—Bill *presented*, and read 1°. [Bill 62.] 1590

COMMONS, WEDNESDAY, MARCH 18.

MINUTES.]—SELECT COMMITTEE—Thames Embankment—Mr. Western Wood *discharged*; Mr. Crawford *added*.
PUBLIC BILLS—*Second Reading*—Diseases Prevention (Metropolis) [Bill 41], after debate, *deferred*.
Consid. as amended—Hares (Ireland) [Bill 51].
Third Reading, and passed—Consolidated Fund (£10,000,000).

Diseases Prevention (Metropolis) Bill [Bill 41]—
Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Brady.*) 1590
After Debate, Motion, by leave, *withdrawn*:—Second Reading *deferred* till *Wednesday*, 27th May 1595

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LORDS, THURSDAY, MARCH 19.

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Minutes.]—Public Bills—*First Reading*—Post Office Savings Banks (No. 47); Consolidated Fund (£10,000,000) (No. 46).
Select Committees—Illegitimate Children (Ireland) (No. 17), *Report* (No. 49); Poor Relief (Ireland) Act Amendment (No. 12), *Report.*
Committee—Salmon Exportation (No. 39).
Report — Illegitimate Children (Ireland) (No 50).
Third Reading—Union Relief Aid Act (1862) Continuance (No. 35); and *passed.*

Metropolitan and City Police—Question, The Earl of Dalhousie; Answer, Earl Granville 1595

Post Office Savings Banks Bill—
Bill read 1^a. (No. 47.) 1605

Consolidated Fund (£10,000,000) Bill—
Bill read 1^a. (No. 46.) 1605

COMMONS THURSDAY, MARCH 19.

Minutes.]—Select Committee—Thames Conservancy, &c. *appointed* (*List of Members*).
Public Bills—*First Reading*—Public-houses [Bill 67]; Local Government Act (1858) Amendment [Bill 69]; Vaccination (Ireland) [Bill 70]; Judgments Law Amendment (Ireland) [Bill 71].
Second Reading—Marine Mutiny; Inclosure.
Committee—Tobacco Duties [Bill 56]; Corrupt Practices at Elections [Bill 8]; Telegraphs [Bill 16], *r. p.*; Mutiny; Trustees (Scotland) Act Amendment [Bill 59].
Report—Tobacco Duties [Bill 66]; Corrupt Practices at Elections [Bill 68]; Mutiny; Trustees (Scotland) Act Amendment.
Third Reading—Hares (Ireland) [Bill 51]; and *passed.*

Public-houses Bill—
Bill for closing Public-houses on Sunday, *presented*, and read 1°.—(*Mr. Somes.*) [Bill 67.]

The Clothing Factory at Pimlico—Question, Mr. Harvey Lewis; Answer, Sir George Lewis 1605

Retirement on Half Pay—Lieutenant Colonel Charteris—Question, Mr. Coningham; Answer, Sir George Lewis 1606

The Island of San Juan—Question, Mr. Longfield; Answer, Mr. Layard .. 1607

Naval Aid to China—Question, Mr. Addington; Answer, Lord C. Paget .. 1607

The Debate on Greece—Mr. Elliot—Explanation, Mr. Gregory .. 1608

Tobacco Duties Bill [Bill 21]—
Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chancellor of the Exchequer.*) .. 1608
Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Ayrton,*)—instead thereof. 1611
Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 170, Noes 87; Majority 83 .. 1616
Main Question put, and *agreed to:*—Bill *considered* in Committee:—
(In the Committee.)
Clause 1 (Duties on Manufactured Tobacco)—After Debate, amended, and *agreed to* .. 1616
Remaining Clauses *agreed to.*
Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 66.]

Corrupt Practices at Elections Bill [Bill 8]—
Bill *considered* in Committee (*Progress 2nd March*):— 1629
(In the Committee.)
Clause 8 (Evidence of Witness on Election Committee, and before Commission)—Amendment moved, in line 40, to leave out from "and" to "examined" in page 4, line 4, inclusive, and insert—"Provided always, That where any witness shall answer every question relating to the matters aforesaid, which he shall be required by such Committee or Commissioners (as the case may be) to answer, and the answer to which may criminate, or tend to criminate him, he shall be entitled to receive from the Committee, under the hand of their clerk, or from the Commissioners, under their hands (as the case may be), a certificate stating that such witness was, upon his examination, required by the said Committee or Commissioners to answer ques-

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tions or a question relating to the matters aforesaid, the answers or answer to which criminated or tended to criminate him, and had answered all such questions or such question."—(*Sir George Grey.*) ... 1629

After Debate, Amendment *agreed to.*

Amendment, to insert at page 4, line 6, after the word "Acts," the words "or for which he might have been prosecuted or proceeded against under such Acts;"—(*Sir George Grey;*)—*agreed to* ... 1631

Amendment moved, "Provided also, That nothing in this section contained shall apply to the case of any sitting Member or defeated candidate called as a witness before any Election Committee."—(*Mr. Hunt.*) ... 1631

After Debate, Amendment *withdrawn:*—Clause, as amended, *agreed to.*

Clause 9 (Regulations for Election Committees)—Amendment moved, to omit the first paragraph of the Clause.—(*Mr. Lygon.*) ... 1633

After Debate, Amendment *withdrawn.*

Amendment, to insert the words "unless the Committee shall otherwise decide;"—(*Mr. Gathorne Hardy;*)—*agreed to* ... 1634

Amendment (*Mr. Childers*) moved, and *negatived* ... 1634

Clause *agreed to.*

Clause 10 (Prosecutions for Bribery) *agreed to.*

Clause 11 (Suspension of Writs)—Amendment moved, to leave out "House of Commons resolves," and insert "the Houses of Parliament separately resolve."—(*Mr. Collins.*) 1634

After short Debate, Amendment *withdrawn.*

Motion to omit the Clause, in order to insert new Clause (As to Persons guilty of Bribery or Treating:)—(*Mr. J. J. Powell:*)—After Debate, Question put, "That the Clause stand part of the Bill:—The Committee *divided;* Ayes 113, Noes 48; Majority 65:—Clause *agreed to.* ... 1635

Clauses 12 and 13 *agreed to.*

New Clause (Treating;)—(*Mr. Packe;*)—*negatived* ... 1643

New Clause (Persons who are under a Recognizance, or have been served with a Subpœna, not appearing, to be guilty of Contempt of Court;)—(*Mr. Paget;*)—*negatived* 1644

New Clause (Judge of a Superior Court may order Trials to be held in the Central Criminal Court, or in a neighbouring County;)—(*Mr. Paget;*)—*negatived* ... 1644

New Clause—"Any person who shall be convicted of bribery or undue influence at an Election, or against whom judgment shall have been obtained for any penal sum by the Corrupt Practices Prevention Acts made recoverable in respect of the offences of bribery, treating, and undue influence, or either of them, shall, in addition to any other punishment or forfeiture, be incapable of being elected or sitting in Parliament during the five years next after such conviction or judgment;"—(*Mr. Puller;*)—*added* to the Bill ... 1644

New Clause (Votes for Candidates guilty of Bribery thrown away;)—(*Sir Francis Goldsmid;*)—after short Debate, *negatived* ... 1645

New Clause (Recovery of Costs by Members declared duly elected by unanimous Resolution of Committee;)—(*Mr Hunt;*)—after short Debate, *withdrawn* ... 1645

New Clause (Provision for Payment of Costs of Commission of Inquiry;)—(*Mr. Hunt;*)—*agreed to* ... 1646

New Clause (Unlawful Payment of Travelling Expenses to be deemed Bribery;)—(*Mr. Darby Griffith;*)—*negatived* ... 1646

New Clause (Provisions for Elections for Places for which Members have been unseated,)—(*Mr. Childers,*)—*brought up,* and read 1° :—Question put, "That the Clause be read a second time:"—The Committee *divided;* Ayes 55, Noes 131; Majority 76 ... 1647

Bill *reported;* as amended, to be considered on *Tuesday* next. [Bill 68.]

Telegraphs Bill [Bill 16]—

Bill *considered* in Committee:— ... 1648

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Interpretation)—after short Debate, *agreed to* ... 1648

Clause 4 *agreed to.*

Clause 5 (Provisions as to Notices and Consents)—Amendment, after third paragraph, to insert, as paragraph 4, "The absence of the dissent in writing of the person or body whose consent is in any case required shall (except as to passing over, in, or upon private property), at the end of fourteen days after service of notice on such person or body, or, in the case of a public body, at the end of fourteen days after the first meeting of such body subsequently to service of notice, be equivalent to such consent."—(*Lord Alfred Churchill.*) ... 1648

Amendment *negatived:*—Clause *agreed to.*

Clause 6 (General Description of Works which a Telegraph Company may execute, subject to the restrictions of this Act)—Question, "That Paragragh 1 stand part of the Clause," put, and *agreed to* ... 1649

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Whereupon Debate arising; Question, "That the Chairman do report Progress, and ask leave to sit again," put, and *agreed to.*

Committee report Progress; to sit again on *Monday* next.

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Mutiny Bill—

Bill *considered* in Committee:—

(In the Committee.)

Clauses 1 to 22, inclusive, *agreed to.*

Clause 23 (Power to inflict Corporal Punishment)—Motion to omit the Clause:—(*Mr. Hennessy*:)—Question put, "That the Clause stand part of the Bill:"—The Committee *divided*; Ayes 34, Noes 7; Majority 27 1649

Clause *agreed to.*

Remaining Clauses *agreed to.*

Bill *reported,* without amendment; to be read 3° *To-morrow.*

Thames Conservancy, &c.—

On Motion of *Mr. Hutt,* Select Committee *appointed,*

"To inquire into the operation of the several Acts of Parliament relating to the Conservancy of the River Thames, to the Buoyage, Beaconage, and Ballastage of that River from Staines to Yantlet Creek, and to the regulation of vessels navigating or plying on the River between the aforesaid limits." 1649

And on Thursday, April 16, Committee *nominated,* as follow:—

Mr. Hutt, The Lord Mayor of London, Sir John Hanmer, Mr. Western Wood, Mr. Joseph Ewart, Mr. Alderman Salomons, Mr. Longfield, Mr. Locke, Mr. Cave, Mr. Somes, Mr. Richard Hodgson, Mr. Lindsay, Mr. Blackburn, Mr. Shafto, and Mr. Cubitt.

Vaccination (Ireland) Bill—

On Motion of *Sir Robert Peel,* Bill to further extend and make compulsory the practice of Vaccination in Ireland, *ordered* to be brought in by Sir Robert Peel and Mr. Lowe:—Bill *presented,* and read 1°. [Bill 70.] .. 1650

Local Government Act (1858) Amendment Bill—

On Motion of *Sir George Grey,* Bill for amending the Local Government Act (1858), *ordered* to be brought in by Sir George Grey and Mr. Bruce:—Bill *presented,* and read 1°. [Bill 69.] 1650

Judgments Law Amendment (Ireland) Bill—

On Motion of *Mr. Whiteside,* Bill to further amend the Law concerning Judgments and Recognizances in Ireland, *ordered* to be brought in by Mr. Whiteside and Mr. George:—Bill *presented,* and read 1°. [Bill 71.] .. 1650

LORDS, FRIDAY, MARCH 20.

Hares (Ireland) Bill—

Bill brought from Commons; read 1ª; and to be *printed.* (No. 52.) .. 1650

Consolidated Fund (£10,000,000) Bill—

Bill read 2ª (according to Order), and *committed* to a Committee of the Whole House on *Monday* next 1650

COMMONS, FRIDAY, MARCH 20.

Minutes.]—Report—of Selection, *Third Report* [No 47].

Supply—Army Estimates—*considered* in Committee.

Public Bills—*First Reading*—Roman Catholic Marriages Registration (Ireland) [Bill 73]; Office of Secretary at War Abolition [Bill 72]; Oaths Relief in Criminal Proceedings (Scotland) [Bill 74].

Committee—Marine Mutiny.

Third Reading—Trustees (Scotland) Act Amendment [Bill 59]; and *passed.*

Case of Mary Brophy—Question, Mr. Vance; Answer, Mr. C. P. Villiers .. 1651

State of the Cotton Trade—Question, Mr. Ferrand; Answer, Viscount Palmerston 1652

Portsmouth Dockyard—Question, Mr. Laird; Answer, Lord Clarence Paget .. 1652

The Trials at Shoeburyness—Question, Sir John Pakington; Answer, Lord Clarence Paget 1653

Poland—Case of M. Abicht—Question, Mr. Hennessy; Answer, Viscount Palmerston 1653

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BRITISH MUSEUM ESTIMATES—Question, Lord Henry Lennox; Answer, The Chancellor of the Exchequer 1655

THE WHITWORTH SHELL—Question, Mr. Dalglish; Answer, Lord Clarence Paget 1655

ENGLISH POLICE IN POLAND—Question, Mr. Hennessy; Answer Sir George Grey 1656

THE NEW HOUSES OF PARLIAMENT—THE FRESCOES—Question, Mr. Cavendish Bentinck; Answer, Mr. Cowper 1656

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

MARRIAGE LAW (IRELAND)—Observations, Mr. Dawson 1657

CEYLON—Observations, Mr. Lyall 1659

THE GALWAY CONTRACT—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is not prepared to grant a sum of Money to the Atlantic Royal Mail Company for conveying the Mails between Galway and North America,"—(*Mr. Baxter,*)—instead thereof 1661

After long Debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 109, Noes 46; Majority 63 1691

Original Question again proposed:—

MURDER OF MR. BRADDEL—Observations, Mr. Whiteside, Mr. Bagwell; Reply, Sir Robert Peel 1692, 1695

CASE OF MICHAEL O'CONNOR—Observations, Mr. O'Hara; Reply, Sir Robert Peel 1694

ARMY CLOTHING — Observations, Colonel Dickson; Reply, Sir George Lewis 1699

DEFENCES AT YARMOUTH—Observations, Sir Henry Stracey .. 1701

Main Question put, and *agreed to.*

SUPPLY *considered* in Committee—ARMY ESTIMATES:—

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £321,884, be granted to Her Majesty, to defray the Charge of the Volunteers, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."... 1703

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £267,308, be granted to Her Majesty, to defray the Charge of the Volunteers, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."—(*Lord Lovaine.*) 1704

After Debate, Amendment, by leave, *withdrawn*:—Vote *agreed to.*

(2.) £55,847, Enrolled Pensioners and Army Reserve 1709

After short Debate, Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £956,365, be granted to Her Majesty, to defray the Charge of the Manufacturing Departments, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive." 1709

Whereupon Motion made, and Question proposed, "That the Item of £35,871 be reduced by the sum of £2,000."—(*Sir Henry Willoughby.*) .. 1710

To report Progress, and ask leave to sit again.

Resolutions to be reported on *Monday* next:—Committee also report Progress; to sit again on *Monday* next.

Roman Catholic Marriages Registration (Ireland) Bill—

On Motion of *Mr. Butt,* Bill to permit the Registration of Roman Catholic Marriages in Ireland, *ordered* to be brought in by Mr. Butt and Sir George Bowyer:—Bill *persented,* and read 1°. [Bill 73.] 1713

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Office of Secretary at War Abolition Bill—
On Motion of *Sir George Lewis,* Bill to abolish the office of Secretary at War, and to transfer the duties of that office to one of Her Majesty's Principal Secretaries of State, *ordered* to be brought in by Sir George Lewis and the Judge Advocate:—Bill *presented,* and read 1°. [Bill 72.] .. 1713

Oaths Relief in Criminal Proceedings (Scotland) Bill—
On Motion of *Mr. E. Craufurd,* Bill to give relief to Persons who may refuse or be unwilling, from alleged conscientious motives, to be sworn in Criminal Proceedings in Scotland, *ordered* to be brought in by Mr. Edward Craufurd, Mr. Crum-Ewing, and Mr. Baxter:—Bill *presented,* and read 1°. [Bill 74.] 1713

LORDS, MONDAY, MARCH 23.

Minutes.]—Public Bills—*First Reading*—Trustees (Scotland) Act Amendment (No. 53); Alkali Works Regulation (No. 55). *Committee*—Illegitimate Children (Ireland) (No. 50); Consolidated Fund (£10,000,000) (No. 46). *Report*—Salmon Exportation (No. 51); Consolidated Fund (£10,000,000) (No. 48).

United States—The Southern Confederacy—Observations, Lord Campbell; Reply, Earl Russell 1714

Salmon Exportation Bill (No. 51)—
Amendments *reported* (according to Order) 1741
Clause 3 (Prohibition of Export of Salmon at certain Times)—Motion, to omit the words—"No unclean or unseasonable Salmon, and no Salmon caught during the Time at which the Sale thereof is prohibited in the District where it is caught, shall be exported or entered for Exportation from any Part of the United Kingdom to Parts beyond Seas," for the purpose of inserting other words.—(*The Earl of Dalhousie.*) 1741
On Question, Whether the words proposed to be omitted shall stand part of the Clause? their Lordships *divided;* Contents 8, Not-Contents 6; Majority 2.

Railway through Greenwich Park—Question, Viscount Torrington; Answer, The Duke of Somerset 1741

Trustees (Scotland) Act Amendment Bill—
Brought from the Commons, and read 1ª. (No. 53.) 1742

Alkali Works Regulation Bill [H. L.]—
A Bill for the Regulation of Alkali Works—Was *presented* by The Lord Stanley of Alderley, and read 1ª. (No. 55.) 1742

COMMONS, MONDAY, MARCH 23.

Minutes.]—Supply—Army Estimates—*considered* in Committee—Resolutions (March 20) *reported.*
Public Bills—*Second Reading*—Vaccination (Ireland) [Bill 70], *Debate adjourned.*
Committee — Marine Mutiny; Telegraphs [Bill 57].
Considered as amended — Tobacco Duties [Bill 66].
Third Reading—Mutiny; and *passed.*
Bill withdrawn—Education of Factory Children [Bill 28].

The River Shannon—Question, Colonel French; Answer, Mr. Peel .. 1743

Sergeant Major Lilley, of the Inniskillen Dragoons—Question, Captain Archdall; Answer, Sir George Lewis 1743

Mr. Scarlett and the Greeks—Explanation, Mr. Baillie Cochrane .. 1744

The Capitation Grant to the Volunteer Force—Question, Captain Gray; Answer, Sir George Lewis 1744

Neutral Rights—Question, Mr. Seymour FitzGerald; Answer, Viscount Palmerston 1744

The Financial Statement—Notice, The Chancellor of the Exchequer .. 1745

Assurances Registration (Ireland) Bill—Notice, Sir Robert Peel .. 1745

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

POLAND—THE TREATY OF VIENNA—Question, Mr. Hennessy; Answer, Viscount Palmerston 1745

COMMAND PAY IN CAVALRY REGIMENTS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, To-morrow, resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying that She will be graciously pleased to give directions that the same command pay shall be granted to Officers commanding regiments of Cavalry as is now given to Officers commanding regiments of Infantry,"—(*Colonel North*,)—instead thereof. ... 1753

Question proposed, "That the words proposed to be left out stand part of the Question."

After Debate, Amendment, by leave, *withdrawn*.

CHINA—GENERAL BURGEVINE—Question, Colonel Sykes; Answer, Mr. Layard 1755

Main Question put, and *agreed to*.

SUPPLY *considered* in Committee:—

(In the Committee.)

(1.) Original Question again proposed,

"That a sum, not exceeding £956,365, be granted to Her Majesty, to defray the Charge of the Manufacturing Departments, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive." 1757

Question again proposed, "That the Item of £35,871, for Establishments, be reduced by the sum of £2,000."—(*Sir Henry Willoughby*.)

After Debate, Question put:—The Committee *divided*; Ayes 45, Noes 94; Majority 49.

Original Question put, and *agreed to*.

(2.) £838,369, Warlike Stores.. 1770

After short Debate, Vote *agreed to*.

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £810,941, be granted to Her Majesty, to defray the charge of the Superintending Establishment of, and Expenditure for, Works, Buildings, and Repairs at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive." ... 1770

Motion,

"That Great Yarmouth should be included in the Vote as one of the commercial harbours of the country, at which works of defence ought to be erected."—(*Sir H. Stracey*.) 1774

Motion, being irregular, not put.

Motion made, and Question put,

"That a sum, not exceeding £800,941, be granted to Her Majesty, to defray the Charge of the Superintending Establishment of, and Expenditure for, Works, Buildings, and Repairs at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."—(*Mr. Baxter*.) 1780

The Committee *divided*; Ayes 43, Noes 75; Majority 32.

Original Question put, and *agreed to*.

(4.) £172,201, Military Education 1781

After short Debate, Vote *agreed to*.

(5.) £85,441, Surveys, &c. 1781

After short Debate, Vote *agreed to*.

(6.) £88,135, Miscellaneous Services 1782

After short Debate, Vote *agreed to*.

(7.) £213,177, Administration of the Army 1783

After Debate, Vote *agreed to*.

Supply—Army Estimates—*continued.* Page

The following Votes were *agreed to,* without Debate :—
(8.) £25,933, Rewards for Military Service.
(9.) £77,782, Pay of General Officers.
(10.) £464,895, Pay of Reduced and Retired Officers.
(11.) £172,157, Widows' Pensions and Compassionate Allowances.
(12.) £32,843, Pensions and Allowances to Wounded Officers.
(13.) £33,776, In-Pensioners of Chelsea and Kilmainham Hospitals.
(14.) £1,142,702, Out-Pensioners of Chelsea Hospital.
(15.) £144,964, Superannuation Allowances, &c. 1786
After short Debate, Vote *agreed to.*
(16.) £32,786, Disembodied Militia.
Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

SUPPLY—Resolutions (March 20) *reported* 1787

Marine Mutiny Bill—

Bill *considered* in Committee (*Progress 20th March*):— 1787
(In the Committee.)
Clause 28 (Power to Inflict Corporal Punishment)—Question put, "That the Clause stand part of the Bill :"—The Committee *divided;* Ayes 86, Noes 31; Majority 55.
Clause *agreed to.*
Clauses 29 to 38 *agreed to.*
Clause 39 (Marking Deserters)—Question put, "That the Clause stand part of the Bill :"—The Committee *divided;* Ayes 97, Noes 22; Majority 75.
Clause *agreed to.*
Bill *reported,* without Amendment; to be read 3° *To-morrow.*

Tobacco Duties Bill [Bill 66]—

Bill, as amended, *considered* 1787
Amendments (*Mr. Chancellor of the Exchequer*) *agreed to.*

Telegraphs Bill [Bill 57]—

Bill *considered* in Committee (*Progress 19th March*):— 1788
(In the Committee.)
Clause 6 *agreed to.*
Clause 7 (For Underground Works in Metropolis and Large Towns Consent of Street Authority requisite)—Amendment proposed, in page 4, line 39, after the word "street," to insert the words "or public road."—(*Mr. Blackburn.*) ... 1788
Question put, "That those words be there inserted :—The Committee *divided;* Ayes 45, Noes 67; Majority 22.
Clause *agreed to.*
Clause 8 (Depth, Course, &c., of Underground Works to be agreed on between Street or Road Authority and Company, or else to be determined by Justices or Sheriff) ... 1790
Amendment (*Mr. Dalglish*) *agreed to.*
Clause, as amended, *ordered* to stand part of the Bill.
Clause 9 *agreed to.*
Clause 10 (No Telegraph over Streets, except above Houses, and with Consent of Street Authority) 1791
After Debate, Clause *agreed to.*
Clauses 11 and 12 *agreed to.*
Committee report Progress; to sit again on *Thursday.*

Vaccination (Ireland) Bill [Bill 70]—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Robert Peel.*) 1791
Motion made, and Question put, "That the Debate be now adjourned :"—(*Colonel Dunne* :)—The House *divided;* Ayes 16, Noes 37; Majority 21.. 1793
Original Question again proposed.
Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Whiteside.*) 1793
Motion, by leave, *withdrawn.*
Original Question again proposed.
Debate arising; Debate *adjourned* till *To-morrow.*

LORDS, TUESDAY, MARCH 24.

MINUTES.]—PUBLIC BILLS—*First Reading*—Mutiny; Tobacco Duties (No. 56).
Second Reading—Post Office Savings Banks (No. 47).
Committee—Births and Deaths (Ireland) Registration (No. 30).
Report—Illegitimate Children (Ireland) (No. 57).
Third Reading—Salmon Exportation (No. 51); Consolidated Fund (£10,000,000) (No. 46).

POLISH REFUGEES IN PRUSSIA—Question, The Earl of Shaftesbury; Answer, Earl Russell 1794

Births and Deaths Registration (Ireland) Bill (No. 30)—
Order for Committee read 1794
After short Debate, House in Committee 1796
Clauses 1 to 21, inclusive, *agreed to.*
Clause 22 (Appointment of Superintendent Registrar)—Amendment *moved,* to omit the words "Superintendent Registrars," and to insert the words "Clerks of Registrars," in lieu thereof.—(*The Marquess of Clanricarde.*)
On Question, Whether the words proposed to be omitted shall stand part of the Clause? their Lordships *divided;* Contents 32, Not-Contents 5; Majority 27.
Amendment *negatived*:—Clause *agreed to*:—Division List—Contents and Not-Contents.
Another Amendment *moved,* and *negatived.*
Amendments made: The Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 57.)

Post Office Savings Banks Bill (No. 47)—
Moved, That the Bill be now read 2ª.—(*Lord Stanley of Alderley.*) .. 1797
After short Debate, Motion *agreed to;* Bill read 2ª accordingly, and Committed to a Committee of the Whole House on *Thursday* next.

THE INDIAN COUNCIL—Question, Lord Lyveden; Answer, The Duke of Argyll:—Debate thereon 1799

NEW SOUTH WALES, VICTORIA, AND SOUTH AUSTRALIA—Petitions and Observations, Earl Grey; Reply, The Duke of Newcastle 1803

Mutiny Bill—
Bill read 1ª; and to be read 2ª on *Thursday* next: (*The Earl De Grey.*)

Tobacco Duties Bill—
Bill read 1ª; to be *printed;* and to be read 2ª on *Thursday* next; and Standing Orders No. 37 and 38 to be considered in order to their being dispensed with; and the Lords Summoned: (*The Lord President.*) (No. 56.)

COMMONS, TUESDAY, MARCH 24.

MINUTES.]—SUPPLY—Resolutions (March 23) *reported.*
PUBLIC BILLS—*Ordered*—Militia Pay.
Second Reading—Partnership Law Amendment [Bill 26]; Vaccination (Ireland), Debate (March 23) *further adjourned.*
Committee—Inclosure [Bill 58].
Report—Inclosure [Bill 58].
Considered as amended—Corrupt Practices at Elections [Bill 68].
Third Reading—Tobacco Duties [Bill 66], and *passed;* Marine Mutiny, and *passed.*

ABOLITION OF TURNPIKES—Question, Mr. Western; Answer, Mr. H. A. Bruce 1806

ALIENATION OF BRITISH TERRITORY—Question, Mr. Darby Griffith; Answer, The Solicitor General 1807

GOVERNMENT OF THE NORTH WESTERN PROVINCES OF INDIA—Question, Mr. Vansittart; Answer, Sir Charles Wood 1808

CASE OF LIEUTENANT COLONEL CHARTERIS—Question, Mr. Coningham; Answer, Sir George Lewis 1808

ARTERIAL DRAINAGE IN IRELAND—Question, Mr. Bagwell; Answer, Mr. Peel .. 1809

CONSTABULARY HORSES—Question, Mr. Hunt; Answer, Mr. Peel .. 1809

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COOLIE IMMIGRATION INTO THE ISLAND OF REUNION—

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of any Communications from Her Majesty's Consul at Réunion, respecting the condition of natives of British India held to labour in that island."—(*Mr. Cave.*) 1813

After Debate, Motion, by leave, *withdrawn.*

INCOME TAX—Motion made, and Question proposed,

"That, in the opinion of this House, the incidents of an Income Tax touching the products of invested property should fall upon net Income, and that the net amounts of industrial earnings should, previous to assessment, be subject to such an abatement as may equitably adjust the burden thrown upon intelligence and skill as compared with property."—(*Mr. Hubbard.*) 1817

Question put:—The House *divided;* Ayes 70, Noes 118; Majority 48.

APPROPRIATION OF SUPPLIES—Motion,

"1. That every Bill hereafter introduced for the appropriation of Supplies be printed and distributed in time for consideration before it passes through Committee of the House.

"2. That it is inexpedient that any Bill for the appropriation of Supplies shall contain the power of transfer which was first introduced into the Appropriation Act of 1846, and which unsettles the appropriation of all the grants of the year for the naval and military services."—(*Lord Robert Montagu.*) 1848

Motion made, and Question proposed,

"That every Bill hereafter introduced for the appropriation of Supplies be printed and distributed in time for consideration before it passes through Committee of the House."

After long Debate, Motion, by leave, *withdrawn:*—Then,

Motion made, and Question proposed,

"That a sufficient number of Copies of every Bill hereafter introduced for the appropriation of Supplies be printed and delivered to Members applying for them in time for consideration before it passes through Committee of the Whole House."—(*Mr. Chancellor of the Exchequer.*) 1863

Amendment proposed, after the word "Supplies," to insert the words "and every annual Indemnity Bill."—(*Mr. Hadfield.*) 1864

Question, "That those words be there inserted," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Ordered,

That a sufficient number of Copies of every Bill hereafter introduced for the appropriation of Supplies, and every annual Indemnity Bill, be printed and delivered to Members applying for them in time for consideration before it passes through Committee of the Whole House.

PROCESSION AND ILLUMINATION ACCIDENTS (METROPOLIS)—

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Returns of the Names of the Persons killed or injured during the Procession on the 7th day of March, 1863, and on the occasion of the Illuminations in the City on the 10th day of March, 1863, and of Persons who afterwards died in consequence of injuries received on either of those days:

"And, of the Persons injured on either of those days, whose cases were reported to the City and Metropolitan Police, distinguishing the Localities in which the deaths and injuries occurred."—(*Mr. Harvey Lewis.*) 1865

Amendment proposed,

At the end of the Question, to add the words "Also a Return of the number of Persons killed and wounded on the occasions of the Lying in State and Funeral of the late Duke of Wellington:

"And, Copy of any Order issued by the Metropolitan Police authorities, with a view to prevent a recurrence of such accidents."—(*Mr. Norris.*) 1868

After long Debate, Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Resolved,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Returns of the Names of the

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Persons killed or injured during the Procession on the 7th day of March 1863, and on the occasion of the Illuminations in the City on the 10th day of March, 1863, and of Persons who afterwards died in consequence of injuries received on either of those days:

Of the Persons injured on either of those days, whose cases were reported to the City and Metropolitan Police, distinguishing the Localities in which the deaths and injuries occurred:

Of the number of Persons killed and wounded on the occasions of the Lying in State and Funeral of the late Duke of Wellington:

And, Copy of any Order issued by the Metropolitan Police Authorities, with a view to prevent a recurrence of such accidents."

Partnership Law Amendment Bill (Bill 26)—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Scholefield.*) 1869

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Buchanan.*)

Question proposed, "That the word 'now' stand part of the Question .. 1872

After long Debate, Question put:—The House *divided;* Ayes 56, Noes 39; Majority 17.

Main Question put, and *agreed to:*—Bill read 2°, and *committed* for *To-morrow.*

Corrupt Practices at Elections Bill [Bill 68]—

Bill, as amended, *considered* 1893

Amendment moved, to leave out Clause 11, and insert new Clause—

(Any person who shall be convicted of bribery at any Election shall be incapable of being elected or sitting in Parliament at any time during the then existing Parliament.)—(*Mr. Vance.*) 1894

Clause *brought up*, and read 1°.

Motion made, and Question proposed, "That the said Clause be now read a second time."

After short Debate, Motion and Clause, by leave, *withdrawn.*

Amendments made.

Bill to be read 3° on *Thursday.*

Militia Pay Bill—

Bill to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers,—*ordered* to be brought in by Mr. Massey, Sir George Lewis, and The Judge Advocate. 1895

COMMONS, WEDNESDAY, MARCH 25.

MINUTES.] — PUBLIC BILLS — *Committee* — Salmon Fisheries (Ireland) [Bill 1], *Debate* (*March* 4) *resumed,* and again *adjourned.*

Select Committee—Partnership Law Amendment [Bill 26], *committed* to a Select Committee.

Third Reading—Inclosure [Bill 58], and *passed.*

Salmon Fisheries (Ireland) Bill [Bill 1]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [4th March], "That Mr. Speaker do now leave the Chair;" and which Amendment was, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Lord Fermoy,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question." 1896

Debate *resumed.*

Motion made, and Question proposed, "That the debate be now adjourned." —(*Colonel White.*) 1898

Debate arising; and it being a quarter of an hour before Six of the clock, the Debate was *further adjourned* till *To-morrow.* 1908

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SUPPLY—Civil Service Estimates—
Order for Committee read; and Debate arising thereon, Committee *deferred* till *To-morrow.* 1908

LORDS, THURSDAY, MARCH 26.

Minutes.]—Public Bills—*First Reading*—Inclosure (No. 58); Marine Mutiny; Augmentation of Benefices (No. 59).
Second Reading— Mutiny; Tobacco Duties (No. 56).
Committee — Post Office Savings Banks (No. 47).
Report—Births and Deaths Registration (Ireland (No. 57).

Great Eastern Railway (New Metropolitan Station and Branches) Bill—
Adjourned Debate [*March* 12] on the Motion, That the said Bill be now read 2ª, and the Amendment thereto, "That the said Bill be read a Second Time on this Day Six Months,"—(*The Earl of Shaftesbury,*)—*resumed* (according to Order) 1909
After long Debate, on Question, that ("now") stand part of the Motion, *Resolved* in the *Negative;* and Bill to be read 2ª on *this Day Six Months.*

Births and Deaths Registration (**Ireland**) **Bill** (No. 57)—
Amendments *reported* (according to Order). 1917
On Motion that the Report be *agreed to,*
Clause 30 (Registrar to learn and register Births and Deaths)—Amendment proposed, "Provided always that all Births and Deaths which shall happen within the Workhouse shall be registered by the Superintendent Registrar."—(*The Earl of Bandon.*)
After short Debate, Amendment (by leave of the House) *withdrawn.*
Report *agreed to;* and Bill to be read 3ª *To-morrow.*

Post Office Savings Banks Bills (No. 47)—
House in Committee (according to Order).
Amendments made; The Report thereof to be received *To-morrow.* .. 1917

Augmentation of Benefices Bill (Church Patronage of the Lord Chancellor)—
A Bill for the Augmentation of certain Benefices the Right of Presentation to which is vested in the Lord Chancellor—Was *presented* by The Lord Chancellor; and after long Debate, read 1ª (No. 59.) 1919

Loan Fund Board (Ireland)—*Moved,*
"That an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Royal Commission to inquire into the Propriety of the Loan Fund Board having ordered that the Cloone Loan Fund should be closed and the funds confiscated, and to inquire into the state of those Funds, the Manner in which they have been employed, and how far the same can be appropriated to the Benefit of the Poor of that Locality."—(*The Earl of Leitrim.*) 1927
On Question, *Resolved* in the *Negative.*

Inclosure Bill—
Bill read 1ª, and to be *printed.* (No 58.) 1929

Marine Mutiny Bill—
Bill read 1ª, and to be read 2ª *To-morrow:* (*The Duke of Somerset.*) .. 1929

COMMONS, THURSDAY, MARCH 26.

Minutes.]—New Member Sworn—The Marquess of Hartington, for Lancaster County (Northern Division).
Supply — Civil Service Estimates — *considered* in Committee.
Select Committee—*Report*—on Public Petitions, *Thirteenth Report.*
Public Bills—*First Reading*—Stock Certificates to Bearer [Bill 76].
Second Reading—Office of Secretary at War Abolition [Bill 72]; Oaths Relief in Criminal Proceedings (Scotland) [Bill 74]; Local Government Act (1858) Amendment [Bill 69].
Committee—Telegraphs [Bill 57]; Salmon Fisheries (Ireland) [Bill 1], Debate (March 4) *resumed*—Bill *considered*—*r. p.*
Report—Telegraphs [Bill 75].
Third Reading—Corrupt Practices at Elections [Bill 68]; and *passed.*

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FOREIGN AND COLONIAL POSTAGE—Question, Mr. Cave; Answer, Mr. Peel .. 1929

FEDERAL RECRUITING IN IRELAND—Question, Lord Henry Thynne; Answer, Sir Robert Peel 1930

RAMSGATE HARBOUR—Question, Sir Edward Dering; Answer, Mr. Milner Gibson 1930

POLITICAL DEMONSTRATIONS IN IRELAND—Questions, Mr. Whalley; Answer, Sir Robert Peel:—Debate thereon 1931

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"— 1936

DIPLOMATIC SERVICE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, all sums required to defray the expenses of the Diplomatic Service ought to be annually voted by Parliament, and that Estimates of all such sums ought to be submitted in a form that will admit of their effectual supervision and control by this House,"—(*Mr. Dodson,*)—instead thereof. 1936

After long Debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 136, Noes 65; Majority 71.

DISTINGUISHED SERVICE COLONELS—COLONEL DUDLEY CARLETON—Observations, Mr. H. Seymour; Reply, Sir George Lewis:—Debate thereon 1947

Main Question put, and *agreed to.*

SUPPLY *considered* in Committee—CIVIL SERVICE ESTIMATES:— 1952

(In the Committee.)

(1.) £1,953,000, on account of certain Civil Services 1952
After Debate, Vote *agreed to.*

(2.) £574,154, Customs Department 1954
After Debate, Vote *agreed to.*

(3.) £1,351,771, Inland Revenue Department 1955
After Debate, Vote *agreed to.*

(4.) £2,098,920, Post Office Services, &c. 1955
After Debate, Vote *agreed to.*

(5.) £515,796, Superannuations and Compensation Allowances, &c., *agreed to.*

(6.) £56,986, to complete the sum for the Houses of Parliament 1957
After Debate, Vote *agreed to.*

The following Votes were then *agreed to,* without Debate:—

(7.) £38,730, to complete the sum for the Treasury.
(8.) £19,263, to complete the sum for the Home Office.
(9.) £56,325, to complete the sum for the Foreign Office.
(10.) £23,047, to complete the sum for the Colonial Office.
(11.) £14,637, to complete the sum for the Privy Council Office.

(12.) £47,181, to complete the sum for the Board of Trade, &c. .. 1958
After Debate, Vote *agreed to.*

The following Votes were then *agreed to,* without Debate:—

(13.) £1,994, to complete the sum for the Privy Seal Office.
(14.) £6,741, to complete the sum for the Civil Service Commission.
(15.) £14,640, to complete the sum for the Paymaster General's Office.
(16.) £2,923, to complete the sum for the Department of the Comptroller General of the Exchequer.
(17.) £22,857, to complete the sum for the Office of Works and Public Buildings.
(18.) £19,839, to complete the sum for the Office of Woods, Forests, and Land Revenues.
(19.) £15,235, to complete the sum for the Office of Public Records, &c.
(20.) £157,424, to complete the sum for Poor Law Commissions.
(21.) £37,901, to complete the sum for the Mint.
(22.) £19,610, to complete the sum for the Inspectors of Factories, &c.
(23.) £4,316, to complete the sum for the Exchequer and other Offices in Scotland.
(24.) £2,445, to complete the sum for the Household of the Lord Lieut. of Ireland.
(25.) £11,580, to complete the sum for the Offices of the Chief Secretary for Ireland.
(26.) £2,752, to complete the sum for the Inspectors of Lunatic Asylums, Ireland.
(27.) £16,314, to complete the sum for the Office of Public Works, Ireland.

SUPPLY—CIVIL SERVICE ESTIMATES—*continued.* Page

(28.) £25,060, to complete the sum for the Commissioners of Audit.

(29.) £14,351, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

(30.) £10,090, to complete the sum for the Inclosure and Drainage Acts; Imprest Expenses.

(31.) £35,511, to complete the sum for the General Register Offices.

(32.) £10,982, to complete the sum for the National Debt Office.

(33.) £2,910, to complete the sum for the Public Works Loan and West India Islands Relief Commissions.

(34.) £5,111, to complete the sum for the Lunacy Commissions.

(35.) £1,223, General Superintendent of County Roads, South Wales .. 1961
After Debate, Vote *agreed to.*

The following Votes were then *agreed to,* without Debate:—

(36.) £2,374, Registrars of Friendly Societies.

(37.) £12,243, to complete the sum for the Charity Commission.

(38.) £4,495, to complete the sum for the office in London under the Local Government Act, &c.

(39.) £2,342, to complete the sum for collecting Agricultural and Emigration Statistics (Ireland).

(40.) £1,193, to complete the sum for the Landed Estates Record Offices.

(41.) £1,098, to complete the sum for Quarantine Expenses.

(42.) Motion made, and Question proposed,

"That a sum, not exceeding £24,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Her Majesty's Foreign and other Secret Services.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. W. Williams.*)
Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*

(43.) £244,139, to complete the sum for Printing and Stationery .. 1962
After Debate, Vote *agreed to.*

(44.) £90,025, to complete the sum for Postage of Letters on the Public Service.

(45.) £9,662, to complete the sum for the Treasury Chest.

(46.) Motion made, and Question proposed,

"That a sum, not exceeding £6,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Expedition to the Niger under the charge of Dr. Baikie." ... 1963

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Colonel Sykes.*)
After Debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*

(47.) £66,000, to complete the sum for Bounties on Slaves and Tonnaged Bounties, &c.

(48.) £6,950, to complete the sum for Mixed Commissions.

(49.) £116,462, to complete the sum for Superannuation and Retired Allowances 1965
After Debate, Vote *agreed to.*

(50.) £744, for Toulonese and Corsican Emigrants, &c.

(51.) £325, for Refuge for the Destitute.

(52.) £1,966, to complete the sum for Polish Refugees and Distressed Spaniards.
After short Debate, Vote *agreed to.*

The following Votes were then *agreed to,* without Debate:—

(53.) £55,700, Merchant Seamen's Fund Pensions.

(54.) £10,400, to complete the sum for Relief of Distressed British Seamen Abroad.

(55.) £2,625, to complete the sum for Miscellaneous Allowances formerly on Civil List, &c.

(56.) £1,451, to complete the sum for Public Infirmaries (Ireland).

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(57.) £1,600, to complete the sum for the Westmoreland Lock Hospital.
(58.) £700, Rotunda Lying-in Hospital.
(59.) £200, Coombe Lying-in Hospital.
(60.) £4,600, to complete the sum for the House of Industry, Dublin.
(61.) £1,500, to complete the sum for the Cork Street Fever Hospital.
(62.) £600, Meath Hospital.
(63.) £100, St. Mark's Opthalmic Hospital.
(64.) £1,300, Dr. Steevens' Hospital.
(65.) £245, Board of Superintendence of Dublin Hospitals.
(66.) £5,847, to complete the sum for the Concordatum Fund.

(67.) Motion made, and Question put,

"That a sum, not exceeding £25,278, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland." 1966

The Committee *divided ;* Ayes 53, Noes 26 ; Majority 27.

Resolutions to be reported *To-morrow ;* Committee to sit again *To-morrow.*

Telegraphs Bill [Bill 57]—

Bill *considered* in Committee (*Progress 23rd March*) :— .. 1970

(In the Committee.)

Clauses 13, 14, and 15 *agreed to.*

Clause 16 (For Works under or over Land Consent of Owner, &c., requisite)—An Amendment moved,—(*Mr. Blackburn,*)—and, after Debate, *negatived.* ... 1970

Clause *agreed to.*

Clause 17 *agreed to.*

Clause 18 (For Telegraphs above Ground, and Posts, within certain Distance of Dwelling Houses, Consent of Occupier, &c., requisite)—Amendment (*Mr. Henley*) ; *agreed to :*—Clause *agreed to* 1971

Clauses 19 to 22, inclusive, *agreed to.*

Clause 23 (Powers of Board of Trade respecting the Objection)—After short Debate, Clause *agreed to* 1972

Clause 24 *agreed to.*

Clause 25 (Costs), after short Debate, *agreed to* 1972

Clause 26 (For Building or other Purposes, Owners, &c., may require Removal of Works though not originally objected to, but subject to Reference to Board of Trade)— ... 1972

Amendment moved, to leave out after the word "notice," in line 42, page 10, to the word "expedient," in line 19, page 11.—(*Mr. Henley.*) 1974

After Debate, Amendment *agreed to :*—Clause, as amended, *agreed to.*

Remaining Clauses *agreed to.*

New Clause after Clause 6 (Telegraph Company to pay an annual rent for the use of Streets or Roads :—(*Mr. Dalglish :*)—Clause *negatived* 1978

New Clause after Clause 14 (County Surveyors in certain cases to exercise powers of Grand Jury in Ireland :)—(*Mr. Butt :*)—After short Debate, Clause *withdrawn* ... 1978

New Clause (Removal of Posts in certain cases :)—(*Mr Dillwyn :*)—Clause *withdrawn*... 1979

New Clause (Company to repair Injury to Property :)—(*Mr. Lygon :*)—After short Debate, Clause *withdrawn* 1979

Bill *reported ;* as amended, to be considered on *Monday* 13th April, and to be *printed.* [Bill 75.]

Office of Secretary at War Abolition Bill [Bill 72]—

On Motion of *Sir George Lewis*, Bill, after short Debate, read 2°, and *committed* for *Monday* 13th April 1980

Oaths Relief in Criminal Proceedings (Scotland) Bill [Bill 74]—

On Motion of *Mr. Craufurd*, Bill, after short Debate, read 2°, and *committed* for *Monday* 13th April 1981

Local Government Act (1858) Amendment Bill [Bill 69.]—

On Motion of *Sir George Grey*, Bill, after short Debate, read 2°, and *committed* for *Monday* 13th April 1981

Salmon Fisheries (Ireland) Bill [Bill 1]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [4th March], "That Mr. Speaker do now leave the Chair;" and which Amendment was, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Lord Fermoy,*)—instead thereof.

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SALMON FISHERIES (IRELAND) BILL—Motion for Committee—*continued*.

Question again proposed, "That the words proposed to be left out stand part of the Question." 1982

Debate *resumed*.

Motion made, and Question put, "That the Debate be now adjourned:"—(*Captain Esmonde*:)—The House *divided*; Ayes 5, Noes 50; Majority 45 1984

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

Main Question put, and *agreed to*:—Bill *considered* in Committee.

Committee report Progress; to sit again on *Monday* 27th April.

Stock Certificates to Bearer Bill—

On the Motion of *Mr. Chancellor of the Exchequer*, Bill to give further facilities to the Holders of the Public Stocks, *ordered* to be brought in by Mr. Chancellor of the Exchequer and Mr. Peel:—Bill *presented*, and read 1°. [Bill 76.]

THE MINISTRY.

THE CABINET.

First Lord of the Treasury	Right Hon. Viscount Palmerston.
Lord Chancellor	Right Hon. Lord Westbury.
President of the Council	Right Hon. Earl Granville.
Lord Privy Seal	His Grace the Duke of Argyll.
Secretary of State, Home Department	Right Hon. Sir George Grey, Bt.
Secretary of State, Foreign Department	Right Hon. Earl Russell.
Secretary of State for Colonies	His Grace the Duke of Newcastle.
Secretary of State for War	Right Hon. Sir George Cornewall Lewis, Bt.
Secretary of State for India	Right Hon. Sir Charles Wood, Bt.
Chancellor of the Exchequer	Right Hon. William Ewart Gladstone.
First Lord of the Admiralty	His Grace the Duke of Somerset.
President of the Board of Trade	Right Hon. Thomas Milner Gibson.
Postmaster General	Right Hon. Lord Stanley of Alderley.
Chancellor of the Duchy of Lancaster	Right Hon. Edward Cardwell.
Chief Commissioner of the Poor Law Board	Right Hon. Charles Pelham Villiers.

NOT IN THE CABINET.

General Commanding-in-Chief	H.R.H. Duke of Cambridge.
Paymaster of the Forces, and Vice President of the Board of Trade	Right Hon. William Hutt.
Vice President of the Committee of Privy Council for Education	Right Hon. Robert Lowe.
Chief Commissioner of Works and Public Buildings	Right Hon. William Francis Cowper.
Lords of the Treasury	Edward Hugessen Knatchbull-Hugessen, Esq., Sir William Dunbar, Bt., and Lieutenant Colonel Luke White.
Lords of the Admiralty	Vice Admiral the Hon. Sir Frederick William Grey, K.C.B., Rear Admiral Charles Eden, C.B., Rear Admiral Charles Frederick, Captain the Hon. James Robert Drummond, C.B., and Samuel Whitbread, Esq.
Joint Secretaries of the Treasury	Hon. Henry Bouverie William Brand, and Right Hon. Frederick Peel.
Secretary of the Admiralty	Rear Admiral Lord Clarence Edward Paget, C.B.
Secretary to the Poor Law Commissioners	Charles Gilpin, Esq.
Under Secretary for the Home Department	Henry Austin Bruce, Esq.
Under Secretary for Foreign Affairs	Austen Henry Layard, Esq.
Under Secretary for the Colonies	Chichester Samuel Fortescue, Esq.
Under Secretary for War	Right Hon. Earl De Grey and Ripon.
Under Secretary for India	Thomas George Baring, Esq.
Judge Advocate General	Right Hon. Thomas Emerson Headlam.
Attorney General	Sir William Atherton, Knt.
Solicitor General	Sir Roundell Palmer, Knt.

SCOTLAND.

Lord Advocate	Right Hon. James Moncreiff.
Solicitor General	George Young, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of Carlisle.
Lord Chancellor	Right Hon. Maziere Brady.
Chief Secretary to the Lord Lieutenant	Right Hon. Sir Robert Peel, Bt.
Attorney General	Right Hon. Thomas O'Hagan.
Solicitor General	James Anthony Lawson, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of St. Germans.
Lord Chamberlain	Right Hon. Viscount Sydney.
Master of the Horse	Most Hon. Marquess of Ailesbury.
Treasurer of the Household	Right Hon. Viscount Bury.
Comptroller of the Household	Right Hon. Lord Proby.
Vice Chamberlain of the Household	Right Hon. Viscount Castlerosse.
Captain of the Corps of Gentlemen at Arms	Right Hon. Lord Foley.
Captain of the Yeomen of the Guard	Right Hon. Earl of Ducie.
Master of the Buckhounds	Right Hon. Earl of Bessborough.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Duchess of Wellington.

ROLL OF THE
LORDS SPIRITUAL AND TEMPORAL

In the Fifth Session of the Eighteenth Parliament of the United Kingdom of Great Britain and Ireland.

26° VICTORIÆ, 1863.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord Highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.

His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)

His Royal Highness George William Frederick Charles Duke of Cambridge.

Charles Thomas Archbishop of Canterbury.

Richard Lord Westbury, *Lord Chancellor.*

William Archbishop of York.

Richard Archbishop of Dublin.

Granville George Earl Granville, *Lord President of the Council.*

George Douglas Lord Sundridge. (*Duke of Argyll.*) *Lord Privy Seal.*

Henry Duke of Norfolk, *Earl Marshal of England.*

Edward Adolphus Duke of Somerset.

Charles Henry Duke of Richmond.

Henry Duke of Grafton.

Henry Charles Fitzroy Duke of Beaufort.

William Amelius Aubrey de Vere Duke of Saint Albans.

George Godolphin Duke of Leeds.

William Duke of Bedford.

William Duke of Devonshire.

John Winston Duke of Marlborough.

Charles Cecil John Duke of Rutland.

William Alexander Anthony Archibald Duke of Brandon. (*Duke of Hamilton.*)

William John Duke of Portland.

William Drogo Duke of Manchester.

Henry Pelham Duke of Newcastle.

Algernon Duke of Northumberland.

Arthur Richard Duke of Wellington.

Richard Plantagenet Campbell Duke of Buckingham and Chandos.

George Granville William Duke of Sutherland.

Henry Duke of Cleveland.

John Marquess of Winchester.

George Marquess of Tweeddale. (*Elected for Scotland.*)

Henry Marquess of Lansdowne. (*In another place as Lord Wycombe.*)

John Marquess Townshend.

James Brownlow William Marquess of Salisbury.

John Alexander Marquess of Bath.

James Marquess of Abercorn.

Richard Marquess of Hertford.

John Patrick Marquess of Bute.
Brownlow Marquess of Exeter.
Charles Marquess of Northampton.
George Charles Marquess Camden.
Henry Marquess of Anglesey.
George Horatio Marquess of Cholmondeley.
Henry Weysford Charles Plantagenet Marquess of Hastings.
George William Frederick Marquess of Ailesbury.
George Thomas John Marquess of Westmeath. (*Elected for Ireland.*)
Frederick William Marquess of Bristol.
Archibald Marquess of Ailsa.
Richard Marquess of Westminster.
Constantine Henry Marquess of Normanby.

Edward Granville Earl of Saint Germans, *Lord Steward of the Household.*
Henry John Earl of Shrewsbury.
Edward Geoffrey Earl of Derby.
Francis Theophilus Henry Earl of Huntingdon.
George Robert Charles Earl of Pembroke and Montgomery.
William Reginald Earl of Devon.
Charles John Earl of Suffolk and Berkshire.
William Basil Percy Earl of Denbigh.
Francis William Henry Earl of Westmorland.
George Augustus Frederick Albemarle Earl of Lindsey.
George Harry Earl of Stamford and Warrington.
George James Earl of Winchilsea and Nottingham.
George Earl of Chesterfield.
John William Earl of Sandwich.
Arthur Algernon Earl of Essex.
James Thomas Earl of Cardigan.
George William Frederick Earl of Carlisle.
Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)
Anthony Earl of Shaftesbury.
——— Earl of Berkeley.
Montagu Earl of Abingdon.
Richard George Earl of Scarbrough.
George Thomas Earl of Albemarle.
George William Earl of Coventry.
Victor Albert George Earl of Jersey.
John Earl Poulett.
Sholto John Earl of Morton. (*Elected for Scotland.*)
James Earl of Caithness. (*Elected for Scotland.*)
Cospatrick Alexander Earl of Home. (*Elected for Scotland.*)
Thomas George Earl of Strathmore. (*Elected for Scotland.*)
George Earl of Haddington. (*Elected for Scotland.*)
David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)
Dunbar James Earl of Selkirk. (*Elected for Scotland.*)
Thomas John Earl of Orkney. (*Elected for Scotland.*)
Sewallis Edward Earl Ferrers.
William Walter Earl of Dartmouth.
Charles Earl of Tankerville.
Heneage Earl of Aylesford.
Francis Thomas de Grey Earl Cowper.
Philip Henry Earl Stanhope.
Thomas Augustus Wolstenholme Earl of Macclesfield.
George William Richard Earl of Pomfret.
James Earl Graham. (*Duke of Montrose.*)
William Frederick Earl Waldegrave.
Bertram Earl of Ashburnham.
Seymour Sydney Hyde Earl of Harrington.
Isaac Newton Earl of Portsmouth.
George Guy Earl Brooke and Earl of Warwick.
Augustus Edward Earl of Buckinghamshire.
William Thomas Spencer Earl Fitzwilliam.
Dudley Francis Earl of Guilford.
Charles Philip Earl of Hardwicke.
William Thomas Horner Earl of Ilchester.
George John Earl De La Warr.
William Earl of Radnor.
John Poyntz Earl Spencer.
Henry George Earl Bathurst.
Arthur Wills Blundell Sandys Trumbull Windsor Earl of Hillsborough. (*Marquess of Downshire.*)

George William Frederick Earl of Clarendon.

William David Earl of Mansfield.

William Earl of Abergavenny.

George Augustus Frederick John Earl Strange. (*Duke of Athol.*)

William Henry Earl of Mount Edgcumbe.

Hugh Earl Fortescue.

George Earl of Beverley.

Henry Howard Molyneux Earl of Carnarvon.

George Earl Cadogan.

James Howard Earl of Malmesbury.

George John Danvers Earl of Lanesborough. (*Elected for Ireland.*)

Francis William Earl of Charlemont. (*In another place as Lord Charlemont.*) (*Elected for Ireland.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)

Robert Earl of Mayo. (*Elected for Ireland.*)

John Earl of Erne. (*Elected for Ireland.*)

John Otway O'Connor Earl of Desart. (*Elected for Ireland.*)

William Earl of Wicklow. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

Francis Earl of Bandon. (*Elected for Ireland.*)

James Alexander Earl of Rosslyn.

William Earl of Craven.

Arthur George Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

William Earl of Rosse. (*Elected for Ireland.*)

Sidney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

William Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

John William Spencer Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans. (*In another place as Lord Steward of the Household.*)

Edmund Earl of Morley.

George Augustus Frederick Henry Earl of Bradford.

Henry Beauchamp Earl Beauchamp.

Richard Earl of Bantry. (*Elected for Ireland.*)

George Frederick Samuel Earl De Grey.

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Sommers Earl Sommers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane.

William Pitt Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Adam Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Granville George Earl Granville. (*In another place as Lord President of the Council.*)

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Maude Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Thomas Earl of Zetland.

Charles Noel Earl of Gainsborough.

Edward Earl of Ellenborough.

Francis Charles Granville Earl of Ellesmere.

George Stevens Earl of Strafford.

Charles Edward Earl of Cottenham.

Henry Richard Charles Earl Cowley.

Archibald William Earl of Winton. (*Earl of Eglintoun.*)
William Earl of Dudley.
John Earl Russell.

John Robert Viscount Sydney, *Lord Chamberlain of the Household.*
Robert Viscount Hereford.
William Henry Viscount Strathallan. (*Elected for Scotland.*)
Henry Viscount Bolingbroke and St. John.
Evelyn Viscount Falmouth.
George Viscount Torrington.
Augustus Frederick Viscount Leinster. (*Duke of Leinster.*)
Henry Viscount Maynard.
John Robert Viscount Sydney. (*In another place as Lord Chamberlain of the Household.*)
Francis Wheler Viscount Hood.
Thomas Viscount De Vesci. (*Elected for Ireland.*)
James Viscount Lifford. (*Elected for Ireland.*)
Edward Viscount Bangor. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
Carnegie Robert John Viscount St. Vincent.
Henry Viscount Melville.
William Leonard Viscount Sidmouth.
George John James Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
Richard John Viscount Hutchinson. (*Earl of Donoughmore.*)
William Thomas Viscount Clancarty. (*Earl of Clancarty.*)
Stapleton Viscount Combermere.
Charles John Viscount Canterbury.
Rowland Viscount Hill.
Charles Stewart Viscount Hardinge.
Hugh Viscount Gough.
Stratford Viscount Stratford de Redcliffe.
Charles Viscount Eversley.

Archibald Campbell Bishop of London.
Charles Bishop of Durham.
Charles Richard Bishop of Winchester.
Henry Bishop of Exeter.
George Bishop of Peterborough.
Connop Bishop of St. David's.
Ashhurst Turner Bishop of Chichester.
John Bishop of Lichfield.
Thomas Bishop of Ely.
Samuel Bishop of Oxford.
Thomas Vowler Bishop of St. Asaph.
James Prince Bishop of Manchester.
Renn Dickson Bishop of Hereford.
John Bishop of Chester.
Alfred Bishop of Llandaff.
John Bishop of Lincoln.
Walter Kerr Bishop of Salisbury.
Robert John Bishop of Bath and Wells. (*In another place as Lord Auckland.*)
Robert Bishop of Ripon.
John Thomas Bishop of Norwich.
James Colquhoun Bishop of Bangor.
Joseph Cotton Bishop of Rochester.
Samuel Bishop of Carlisle.
Henry Bishop of Worcester.
Robert Bishop of Cashell, Waterford, and Lismore.
William Bishop of Derry and Raphoe.
Henry Bishop of Limerick, Ardfert, and Aghadoe.

William Lennox Lascelles Lord de Ros.
Jacob Henry Delaval Lord Hastings.
George Edward Lord Audley.
Peter Robert Lord Willoughby de Eresby.
Thomas Crosby William Lord Dacre.
Charles Rodolph Lord Clinton.
Thomas Lord Camoys.
Henry Lord Beaumont.
Charles Lord Stourton.
Henry William Lord Berners.
Henry Lord Willoughby de Broke.
Sackville George Lord Conyers.
George Lord Vaux of Harrowden.
St. Andrew Beauchamp Lord St. John of Bletso.
Charles Augustus Lord Howard de Walden.
William Bernard Lord Petre.
Frederick Benjamin Lord Saye and Sele.
John Francis Lord Arundell of Wardour.
John Stuart Lord Clifton. (*Earl of Darnley.*)

Joseph Thaddeus Lord Dormer.

George Henry Lord Teynham.

Henry Valentine Lord Stafford.

George Anson Lord Byron.

Charles Hugh Lord Clifford of Chudleigh.

Alexander Lord Saltoun. (*Elected for Scotland.*)

John Lord Gray. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

John Lord Rollo. (*Elected for Scotland.*)

Henry Francis Lord Polwarth. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

Thomas Robert Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

George John Brabazon Lord Ponsonby. (*Earl of Bessborough.*)

Henry Lord Wycombe. (*In another place as Marquess of Lansdowne.*)

George John Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

George Ives Lord Boston.

George James Lord Lovel and Holland. (*Earl of Egmont.*)

George John Lord Vernon.

Edward Saint Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*) (*In another place as Lord Privy Seal.*)

Edward William Lord Hawke.

Thomas Henry Lord Foley.

George Rice Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Lord Southampton.

Fletcher Lord Grantley.

Robert Dennett Lord Rodney.

William Lord Berwick.

James Henry Legge Lord Sherborne.

John Lord Tyrone. (*Marquess of Waterford.*)

Richard Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Guy Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Hall Lord Gage. (*Viscount Gage.*)

Edward Thomas Lord Thurlow.

Robert John Lord Auckland. (*In another place as Bishop of Bath and Wells.*)

George William Lord Lyttelton.

Henry Lord Mendip. (*Viscount Clifden.*)

John Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

Charles Lord Brodrick. (*Viscount Midleton.*)

Frederick Lord Calthorpe.

Robert John Lord Carrington.

Henry Lord Bayning.

William Henry Lord Bolton.

John Lord Wodehouse.

George Lord Northwick.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Richard Hobart Lord Fitzgibbon. (*Earl of Clare.*)

Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)

Henry Lord Farnham. (*Elected for Ireland.*)

John Cavendish Lord Kilmaine. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Edward Lord Crofton. (*Elected for Ireland.*)

Eyre Lord Clarina. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

Granville Leveson Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.
John Thomas Lord Redesdale.
George Lord Rivers.
Arthur Marcus Cecil Lord Sandys.
George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)
Thomas Americus Lord Erskine.
George John Lord Mont Eagle. (*Marquess of Sligo.*)
Anthony Lord Lauderdale. (*Earl of Lauderdale.*)
George Arthur Hastings Lord Granard. (*Earl of Granard.*)
Hungerford Lord Crewe.
William Brabazon Lord Ponsonby of Imokilly.
Alan Legge Lord Gardner.
John Thomas Lord Manners.
John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)
Frederick William Robert Lord Stewart of Stewart's Court. (*Marquess of Londonderry.*)
Richard Lord Castlemaine. (*Elected for Ireland.*)
Charles Lord Meldrum. (*Marquess of Huntly.*)
James Lord Ross. (*Earl of Glasgow.*)
William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)
William Henry Tennison Lord Foxford. (*Earl of Limerick.*)
Francis George Lord Churchill.
George Francis Robert Lord Harris.
Charles Lord Colchester.
William Schomberg Robert Lord Ker. (*Marquess of Lothian.*)
Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)
James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)
Francis Lord Wemyss. (*Earl of Wemyss.*)
Robert Lord Clanbrassill. (*Earl of Roden.*)
Robert Lord Kingston. (*Earl of Kingston.*)
William Lygon Lord Silchester. (*Earl of Longford.*)
William Richard Arthur Lord Maryborough. (*Earl of Mornington.*)
John Lord Oriel. (*Viscount Massereene.*)
Henry Thomas Lord Ravensworth.
Hugh Lord Delamere.
John George Weld Lord Forester.
John James Lord Rayleigh.
Ulysses Lord Downes. (*Elected for Ireland.*)
Robert Francis Lord Gifford.
Percy Ellen Frederick William Lord Penshurst. (*Viscount Strangford.*)
Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)
James Lord Wigan. (*Earl of Crawford and Balcarres.*)
Thomas Granville Henry Stuart Lord Ranfurly. (*Earl of Ranfurly.*)
George Lord De Tabley.
Edward Montague Stuart Granville Lord Wharncliffe.
William Lord Feversham.
John Singleton Lord Lyndhurst.
John Henry Lord Tenterden.
Thomas Span Lord Plunket. (*Bishop of Tuam, Killala, and Achonry.*)
William Henry Ashe Lord Heytesbury.
Archibald John Lord Rosebery. (*Earl of Rosebery.*)
Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)
Edward Lord Skelmersdale.
William Samuel Lord Wynford.
Henry Lord Brougham and Vaux.
William Henry Lord Kilmarnock. (*Earl of Erroll.*)
Arthur James Lord Fingall. (*Earl of Fingall.*)
William Philip Lord Sefton. (*Earl of Sefton.*)
William Sydney Lord Clements. (*Earl of Leitrim.*)
George William Fox Lord Rossie. (*Lord Kinnaird.*)
Thomas Lord Kenlis. (*Marquess of Headfort.*)
William Lord Chaworth. (*Earl of Meath.*)
Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)
Robert Montgomerie Lord Hamilton. (*Lord Belhaven and Stenton.*)
John Hobart Lord Howden.
Fox Lord Panmure. (*Earl of Dalhousie.*)
Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.
Henry Spencer Lord Templemore.
Edward Lord Cloncurry.
James Lord De Saumarez.
Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)
Thomas Lord Denman.
William Frederick Lord Abinger.
Philip Lord De L'Isle and Dudley.
William Bingham Lord Ashburton.
Charles Lord Glenelg.
Edward John Lord Hatherton.
Archibald Lord Worlingham. (*Earl of Gosford.*)
William Frederick Lord Stratheden.
Edward Berkeley Lord Portman.
Thomas Alexander Lord Lovat.
William Bateman Lord Bateman.
Francis William Lord Charlemont. (*In another place as Earl of Charlemont.*)
Francis Alexander Lord Kintore. (*Earl of Kintore.*)
George Ponsonby Lord Lismore. (*Viscount Lismore.*)
Henry Cairns Lord Rossmore.
Robert Shapland Lord Carew.
Charles Frederick Ashley Cooper Lord De Mauley.
John Lord Wrottesley.
Thomas Charles Lord Sudeley.
Frederick Henry Paul Lord Methuen.
Edward John Lord Stanley of Alderley.
Henry Lord Stuart de Decies.
William Henry Lord Leigh.
Beilby Richard Lord Wenlock.
Charles Lord Lurgan.
Ralph Lord Dunfermline.
Thomas Spring Lord Monteagle of Brandon.
John Lord Seaton.
Edward Arthur Wellington Lord Keane.
North Lord Oxenfoord. (*Earl of Stair.*)
Charles Crespigny Lord Vivian.
John Lord Congleton.
Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)
Richard Lord Dartrey. (*Lord Cremorne.*)
James Lord Elgin. (*Earl of Elgin and Kincardine.*)
Frederick Temple Lord Clandeboye. (*Lord Dufferin and Claneboye.*)
William Henry Forester Lord Londesborough.
Samuel Jones Lord Overstone.
Charles Robert Claude Lord Truro.
Robert Monsey Lord Cranworth.
John Cam Lord Broughton.
John Lord De Freyne.
Edward Burtenshaw Lord Saint Leonards.
Richard Henry FitzRoy Lord Raglan.
Gilbert John Lord Aveland.
Thomas Lord Kenmare. (*Earl of Kenmare.*)
Richard Bickerton Pemell Lord Lyons.
James Lord Wensleydale.
Edward Lord Belper.
James Lord Talbot de Malahide.
Robert Lord Ebury.
James Lord Skene. (*Earl Fife.*)
Charles Compton Lord Chesham.
Frederic Lord Chelmsford.
John Lord Churston.
John Charles Lord Strathspey. (*Earl of Seafield.*)
Colin Lord Clyde.
Thomas Lord Kingsdown.
George Lord Leconfield.
William Tatton Lord Egerton.
Charles Morgan Robinson Lord Tredegar.
Robert Vernon Lord Lyveden.
Benjamin Lord Llanover.
Henry Lord Taunton.
Richard Lord Westbury. (*In another place as Lord Chancellor.*)
Maurice Frederick Fitzhardinge Lord Fitzhardinge.

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the *Eighteenth Parliament* of the United Kingdom of *Great Britain and Ireland*: Amended to the Opening of the Fifth Session on the 5th Day of February, 1863.

ABINGDON.
John Thomas Norris.

ANDOVER.
William Cubitt,
Hon. Dudley Francis Fortescue.

ANGLESEY.
Sir Richard Bulkeley Williams Bulkeley, bt.

ARUNDEL.
Rt. hon. (Edward Howard) Lord E. Howard.

ASHBURTON.
John Harvey Astell.

ASHTON-UNDER-LINE.
Rt. hon. Thomas Milner Gibson.

AYLESBURY.
Thomas Tyringham Bernard,
Samuel George Smith.

BANBURY.
Sir Charles Eurwicke Douglas, knt.

BARNSTAPLE.
John D. F. Davie,
George Potts.

BATH.
William Tite,
Arthur Edwin Hay.

BEAUMARIS.
Hon. William Owen Stanley.

BEDFORDSHIRE.
Richard Thomas Gilpin,
Francis Charles Hastings Russell.

BEDFORD.
Samuel Whitbread,
William Stuart.

BERKSHIRE.
Hon. Philip Pleydell Bouverie,
John Walter,
Richard Benyon.

BERWICK-UPON-TWEED.
Charles William Gordon,
Dudley Coutts Marjoribanks.

BEVERLEY.
Henry Edwards,
James Robert Walker.

BEWDLEY.
Sir Thomas Edward Winnington, bt.

BIRKENHEAD.
John Laird.

BIRMINGHAM.
William Scholefield,
John Bright.

BLACKBURN.
William Henry Hornby,
James Pilkington.

BODMIN.
Hon. Edward Frederick Leveson Gower,
James Wyld.

BOLTON-LE-MOORS.
William Gray,
Thomas Barnes.

BOSTON.
John Wingfield Malcolm,
Meaburn Staniland.

BRADFORD.
Henry Wickham Wickham,
William Edward Forster.

BRECKNOCKSHIRE.
Hon. Godfrey Charles Morgan.

BRECKNOCK.
John Lloyd Vaughan Watkins.

BRIDGNORTH.
Henry Whitmore,
John Pritchard.

BRIDGWATER.
Charles John Kemeys Tynte,
Alexander William Kinglake.

BRIDPORT.
Thomas Alexander Mitchell,
Kirkman Daniel Hodgson.

BRIGHTHELMSTONE.
James White,
William Coningham.

BRISTOL.
Hon. Francis Henry Fitzhardinge Berkeley,
William Henry Gore Langton.

BUCKINGHAMSHIRE.
Caledon George Du Pré,
Rt. hon. Benjamin Disraeli,
Hon. William George Cavendish.

BUCKINGHAM.
Sir Harry Verney, bt.,
John Gellibrand Hubbard.

BURY.
Rt. hon. Frederick Peel.

BURY ST. EDMUNDS.
Hon. (Alfred Hervey) Lord A. Hervey,
Joseph Alfred Hardcastle.

CALNE.
Rt. hon. Robert Lowe.

CAMBRIDGESHIRE.
Henry John Adeane,
Hon. Eliot Thomas Yorke.

CAMBRIDGE (UNIVERSITY).

Rt. hon. Spencer Horatio Walpole,
Charles Jasper Selwyn.

CAMBRIDGE.

Kenneth Macaulay,

CANTERBURY.

Henry Alexander Butler Johnstone,
Rt. hon. Sir William Meredyth Somerville, bt.

CARDIFF.

James F. C. D. Stuart.

CARDIGANSHIRE.

William Thomas Rowland Powell.

CARDIGAN.

Edward Lewis Pryse.

CARLISLE.

Edmund Potter,
Wilfrid Lawson.

CARMARTHENSHIRE.

David Jones,
David Pugh.

CARMARTHEN.

David Morris.

CARNARVONSHIRE.

Hon. Edward Gordon Douglas Pennant.

CARNARVON, &c.

Charles Wynne.

CHATHAM.

Sir John Mark Frederick Smith, knt.

CHELTENHAM.

Francis William Fitzhardinge Berkeley.

CHESHIRE.

(Northern Division.)

George Cornwall Legh,
Hon. Wilbraham Egerton.

(Southern Division.)

Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

CHESTER.

Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
Philip Stapleton Humberstone.

CHICHESTER.

Humphrey William Freeland,
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.

CHIPPENHAM.

William John Lysley,
Richard Penruddocke Long.

CHRISTCHURCH.

John Edward Walcott.

CIRENCESTER.

Allen Alexander Bathurst,
Hon. Ashley George John Ponsonby.

CLITHEROE.

John Turner Hopwood.

COCKERMOUTH.

John Steel,
Rt. hon. Richard Southwell (Bourke) Lord Naas.

COLCHESTER.

Taverner John Miller,
Philip O. Papillon.

CORNWALL.

(Eastern Division.)

Thomas James Agar Robartes,
Nicholas Kendall.

(Western Division.)

Richard Davey,
John Saint Aubyn.

COVENTRY.

Rt. hon. Edward Ellice,
Sir Joseph Paxton, knt.

CRICKLADE.

Ambrose Lethbridge Goddard,
Hon. Anthony (Ashley) Lord Ashley.

CUMBERLAND.

(Eastern Division.)

Hon. Charles Wentworth George Howard,
William Marshall.

(Western Division.)

Hon. Percy Wyndham,
Henry Lowther.

DARTMOUTH.

John Hardy.

DENBIGHSHIRE.

Sir Watkin Williams Wynn, bt.,
Robert Myddelton Biddulph.

DENBIGH.

Townshend Mainwaring.

DERBYSHIRE.

(Northern Division.)

Hon. (George Henry Cavendish) Lord G. H. Cavendish,
William Pole Thornhill.

(Southern Division.)

Thomas William Evans,
William Mundy.

DERBY.

Michael Thomas Bass,
Samuel Beale.

DEVIZES.

Christopher Darby Griffith,
John Neilson Gladstone.

DEVONPORT.

Sir Arthur William Buller, knt.,

DEVONSHIRE.

(Northern Division.)

James Wentworth Buller,
Hon. Charles Henry Rolle Trefusis.

(Southern Division.)

Sir Lawrence Palk, bt.,
Samuel Trehawke Kekewich.

DORCHESTER.

Richard Brinsley Sheridan,
Charles Napier Sturt.

DORSETSHIRE.

Hon. William Henry Berkeley Portman,
Henry Gerard Sturt,
Henry Ker Seymer.

DOVER.

Sir Henry John Leeke, K.C.B.,
William Nicol.

DROITWICH.

Rt. hon. Sir John Somerset Pakington, bt.

DUDLEY.

Henry Brinsley Sheridan.

DURHAM.

(Northern Division.)

Robert Duncombe Shafto,
Hon. (Adolphus Frederick Charles William Vane Tempest) Lord A. F. C. W. Vane Tempest.

(Southern Division.)

Henry Pease,
James Farrer.

DURHAM (CITY).

Sir William Atherton, knt.,
Rt. hon John Robert Mowbray.

ESSEX.

(Northern Division.)

Rt. hon. William Beresford,
Charles Du Cane.

(Southern Division).

Thomas William Bramston,
J. W. Perry Watlington.

EVESHAM.

Sir Henry Pollard Willoughby, bt.,
Edward Holland.

EXETER.

Edward Divett,
Richard Sommers Gard.

EYE.

Sir Edward Clarence Kerrison, bt.

FINSBURY.

William Cox,
Sir Samuel Morton Peto, bt.

FLINTSHIRE.

Hon. (Richard de Aquila Grosvenor) Lord R. Grosvenor.

FLINT, &c.

Sir John Hanmer, bt.

FROME.

Hon. (Edward Thynne) Lord E. Thynne.

GATESHEAD.

Rt. hon. William Hutt.

GLAMORGANSHIRE.

Christopher Rice Mansel Talbot,
Henry Hussey Vivian.

GLOUCESTERSHIRE.

(Eastern Division.)

Sir Christopher William Codrington, bt.,
Robert Stayner Holford.

(Western Division.)

Robert Nigel Fitzhardinge Kingscote,
John Rolt.

GLOUCESTER.

Hon. Charles Paget Fitzhardinge Berkeley,
John Joseph Powell.

GRANTHAM.

Glynne Earle Welby,
Hon. Frederick James Tollemache.

GREENWICH.

David Salomons,
William Angerstein.

GRIMSBY (GREAT).

John Chapman.

GUILDFORD.

William Bovill,
Guildford Onslow.

HALIFAX.

Rt.hon.SirCharlesWood,bt.,
ames Stansfeld.

HAMPSHIRE.

(Northern Division.)

William Wither Bramston Beach,
George Sclater-Booth.

(Southern Division.)

Hon. Ralph Heneage Dutton,
Sir Jervoise Clarke Clarke-Jervoise, bt.

HARWICH.

Henry G. W. Jervis,
Hon. Richard Thomas Rowley.

HASTINGS.

Frederick North,
Hon. (Harry George Vane) Lord H. G. Vane.

HAVERFORDWEST.

John Henry Philipps.

HELSTON.

John Jope Rogers.

HEREFORDSHIRE.

James King King,
Hon. (Montagu William Graham) Lord M. W. Graham,
Humphrey Francis Mildmay.

HEREFORD.

Henry Morgan Clifford,
George Clive.

HERTFORDSHIRE.

Rt. hon. Sir Edward George Lytton Bulwer-Lytton, bt.,
Christopher William Giles Puller,
Abel Smith.

HERTFORD.

Rt. hon. William Francis Cowper,
Sir Walter Minto Townshend Farquhar, bt.

HONITON.

George Moffatt,
Alexander Dundas Baillie Cochrane.

HORSHAM.

William Robert Seymour Vesey FitzGerald.

HUDDERSFIELD.

Edward Aldam Leatham.

HUNTINGDONSHIRE.

Edward Fellowes,
Hon. (Robert Montagu) Lord R. Montagu.

HUNTINGDON.

Rt. hon. Jonathan Peel,
Thomas Baring.

HYTHE.

Baron Mayer Amschel de Rothschild.

IPSWICH.

John Chevallier Cobbold,
Hugh Edward Adair,

KENDAL.

George Carr Glyn.

KENT.

(Eastern Division.)

Sir Brook William Bridges, bt.,
Sir Edward Cholmeley Dering, bt.

(Western Division.)

Hon. (William Pitt) Viscount Holmesdale,
Sir Edmund Filmer, bt.

KIDDERMINSTER.

Luke White.

KING'S LYNN.

Rt. hon. Edward Henry (Stanley) Lord Stanley,
John Henry Gurney.

KINGSTON-UPON-HULL.

James Clay,
Joseph Somes.

KNARESBOROUGH.

Basil Thomas Woodd,
Thomas Collins.

LAMBETH.

Frederick Doulton,
William Williams.

LANCASHIRE.

(Northern Division.)

John Wilson Patten,
Hon. Spencer Compton (Cavendish) Marquess of Hartington.

(Southern Division.)

Hon. Algernon Fulke Egerton,
William John Legh,
Charles Turner.

LANCASTER.

William James Garnett,
Samuel Gregson.

LAUNCESTON.

Thomas Chandler Haliburton.

LEEDS.

Edward Baines,
George Skirrow Beecroft.

LEICESTERSHIRE.

(Northern Division.)

Rt. hon. (John James Robert Manners) Lord J. J. R. Manners,
Edward Bouchier Hartopp.

(Southern Division.)

Charles William Packe,
Hon. George Augustus Frederick Louis (Curzon Howe) Viscount Curzon.

LEICESTER.

Peter Alfred Taylor,
William Unwin Heygate.

LEOMINSTER.

Gathorne Hardy,
Hon. Charles Spencer Bateman Hanbury.

LEWES.

John George Blencowe,
Hon. Henry Bouverie William Brand.

LICHFIELD.

Hon. (Alfred Henry Paget) Lord A. H. Paget,
Hon. Augustus Henry Archibald Anson.

LINCOLNSHIRE.

(Parts of Lindsey.)

James Banks Stanhope,
Sir Montagu John Cholmeley Cholmeley, bt.

(Parts of Kesteven and Holland.)

Sir John Trollope, bt.,
George Hussey Packe.

LINCOLN.

Charles Seely,
John Bramley Moore.

LISKEARD.

Ralph Bernal Osborne.

LIVERPOOL.

Thomas Berry Horsfall,
Joseph Christopher Ewart.

LONDON.

Sir James Duke, bt.,
Western Wood,
Robert Wygram Crawford,
Baron Lionel Nathan De Rothschild.

LUDLOW.

Hon. George Herbert Windsor Windsor Clive,
Beriah Botfield.

LYME REGIS.

William Pinney.

LYMINGTON.

William Alexander Mackinnon, jun.,
Hon George Charles (Gordon Lennox) Lord G. C. Lennox.

MACCLESFIELD.

John Brocklehurst,
Edward Christopher Egerton.

MAIDSTONE.

William Lee,
Charles Buxton.

MALDON.

George Montagu Warren Peacocke,
Thomas Sutton Western.

MALMESBURY.

Hon. Henry Charles (Howard) Viscount Andover.

MALTON.

Hon. Charles William Wentworth Fitzwilliam,
James Brown.

MANCHESTER.

Thomas Bazley,
James Aspinall Turner.

MARLBOROUGH.

Rt. hon. (Ernest Augustus Charles Brudenell Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MARLOW (GREAT).

Thomas Peers Williams,
Brownlow William Knox.

MARYLEBONE.

John Harvey Lewis,
Rt. hon. Edmund Boyle (Roche) Lord Fermoy.

MERIONETHSHIRE.

William Watkin Edward Wynne.

MERTHYR TYDVIL.

Henry Austin Bruce.

MIDDLESEX.

Robert Hanbury,
Hon. George Henry Charles (Byng) Viscount Enfield.

MIDHURST.

William Townley Mitford.

MONMOUTHSHIRE.

Charles Octavius Swinnerton Morgan,
Poulett George Henry Somerset.

MONMOUTH.

Crawshay Bailey.

MONTGOMERYSHIRE.

Charles Watkins Williams Wynn.

MONTGOMERY.

John Samuel Willes Johnson.

MORPETH.

Rt. hon. Sir George Grey, bt.

NEWARK-UPON-TRENT.

Grosvenor Hodgkinson,
John Handley.

NEWCASTLE-UNDER-LYME

William Jackson,
William Murray.

NEWCASTLE-UPON-TYNE.

Somerset Archibald Beaumont,
Rt. hon. Thomas Emerson Headlam.

NEWPORT, ISLE OF WIGHT.

Robert William Kennard,
Philip Lybbe Powys.

NORFOLK.

(Eastern Division.)

Hon. Wenman Clarence Walpole Coke,
Edward Howes.

(Western Division.)

George William Pierrepont Bentinck,
Charles Brampton Gurdon.

NORTHALLERTON.

William Battie Wrightson.

NORTHAMPTONSHIRE.

(Northern Division.)

Hon. William Alleyne (Cecil) Lord Burghley,
George Ward Hunt.

(Southern Division.)

Rainald Knightley,
Henry Cartwright.

NORTHAMPTON.

Charles Gilpin,
Rt. hon. Anthony (Henley), Lord Henley.

NORTHUMBERLAND.

(Northern Division.)

Hon. Algernon George (Percy) Lord Lovaine,
Sir Matthew White Ridley, bt.

(Southern Division.)

Wentworth Blackett Beaumont,
Hon. Henry George Liddell.

NORWICH.

Sir William Russell, bt.,
Edward Warner.

NOTTINGHAMSHIRE.

(Northern Division.)

Hon. (Robert Renebald Pelham-Clinton) Lord R. R. Pelham Clinton,
Rt. hon. John Evelyn Denison.

(Southern Division.)

William Hodgson Barrow,
Hon. George Philip Cecil Arthur (Stanhope) Lord Stanhope.

NOTTINGHAM.

Charles Paget,
Sir Robert Juckes Clifton, bt.

OLDHAM.
John Tomlinson Hibbert,
John Morgan Cobbett.

OXFORDSHIRE.
Rt. hon. Joseph Warner Henley,
John Sidney North,
John William Fane.

OXFORD (CITY).
James Haughton Langston,
Rt. Hon. Edward Cardwell.

OXFORD (UNIVERSITY).
Rt. Hon. William Ewart Gladstone,
Sir William Heathcote, bt.

PEMBROKESHIRE.
George Lort Phillips.

PEMBROKE.
Sir Hugh Owen Owen, bt.

PENRYN AND FALMOUTH.
Thomas George Baring,
Samuel Gurney.

PETERBOROUGH.
Thomson Hankey,
George Hammond Whalley.

PETERSFIELD.
Rt. Hon. Sir William George Hylton Jolliffe, bt.

PLYMOUTH.
Walter Morrison,
Robert Porrett Collier.

PONTEFRACT.
Richard Monckton Milnes,
Hugh Culling Eardley Childers.

POOLE.
George Woodroffe Franklyn,
Henry Danby Seymour.

PORTSMOUTH.
Sir James Dalrymple Horn Elphinstone, bt.,
Rt. hon. Sir Francis Thornhill Baring, bt.

PRESTON.
Sir Thomas George Hesketh, bt.,
Charles Pascoe Grenfell.

RADNORSHIRE.
Sir John Benn Walsh, bt.

RADNOR (NEW).
Rt. hon. Sir George Cornewall Lewis, bt.

READING.
Gillery Pigott,
Sir Francis Henry Goldsmid, bt.

REIGATE.

RETFORD (EAST).
Rt. hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

RICHMOND.
Sir Roundell Palmer, knt.
Marmaduke Wyvill.

RIPON.
John Greenwood,
Reginald Arthur Vyner.

ROCHDALE.
Richard Cobden.

ROCHESTER.
Philip Wykeham Martin,
John Alexander Kinglake.

RUTLANDSHIRE.
Hon. Gerard James Noel,
Hon. Gilbert Henry Heathcote.

RYE.
William Alexander Mackinnon.

ST. IVES.
Henry Paull.

SALFORD.
William Nathaniel Massey.

SALISBURY.
Edward Pery Buckley,
Matthew Henry Marsh.

SALOP, OR SHROPSHIRE.
(Northern Division.)
Hon. Rowland Clegg Hill,
John Ralph Ormsby Gore.

(Southern Division.)
Rt. hon. Orlando George Charles (Bridgeman) Viscount Newport,
Sir Baldwin Leighton, bt.

SANDWICH.
Edward Knatchbull-Hugessen,
Hon. Clarence Edward (Paget) Lord C. E. Paget.

SCARBOROUGH.
John Dent Dent,
Sir John Vanden Bempde Johnstone, bt.

SHAFTESBURY.
George Grenfell Glyn.

SHEFFIELD.
John Arthur Roebuck,
George Hadfield.

SHIELDS (SOUTH).
Robert Ingham.

SHOREHAM (NEW).
Sir Percy Burrell, bt.,
Stephen Cave.

SHREWSBURY.
George Tomline,
Henry Robertson.

SOMERSETSHIRE.
(Eastern Division.)
Sir William Miles, bt.,
William Francis Knatchbull.

(Western Division.)

Sir Alexander Fuller Acland Hood, bt.

SOUTHAMPTON.
William Digby Seymour,
William Anderson Rose.

SOUTHWARK.
Austen Henry Layard,
John Locke.

STAFFORDSHIRE.
(Northern Division.)
Rt. hon. Charles Bowyer Adderley,
Hon. Charles John (Talbot) Viscount Ingestre.

(Southern Division.)
Henry John Wentworth Foley,
William Orme Foster.

STAFFORD.
Thomas Sidney,
Thomas Salt.

STAMFORD.
Hon. (Robert Talbot Gascoyne Cecil) Lord R. T. G. Cecil,
Sir Stafford Henry Northcote, bt.

STOCKPORT.
James Kershaw,
John Benjamin Smith.

STOKE-UPON-TRENT.
Henry Riversdale Grenfell,
William Taylor Copeland.

STROUD.
George Poulett Scrope,
Rt. hon. Edward Horsman.

SUFFOLK.
(Eastern Division.)
Rt. hon. John (Henniker-Major) Lord Henniker,
Sir FitzRoy Kelly, knt.

(Western Division.)
Hon. Frederick William (Hervey), Earl Jermyn,
Windsor Parker.

SUNDERLAND.
Henry Fenwick,
William Schaw Lindsay.

SURREY.
(Eastern Division.)
Thomas Alcock,
Hon. Peter John Locke King.

(Western Division.)
John Ivatt Briscoe,
George Cubitt.

SUSSEX.
(Eastern Division.)
John George Dodson,
Hon. Henry North (Holroyd) Viscount Pevensey.

(Western Division.)
Walter Barttelot Barttelot,
Hon. Henry Wyndham.

SWANSEA.
Lewis Llewellyn Dillwyn.

TAMWORTH.
Rt. hon. Sir Robert Peel, bt.,
Hon. John (Townshend) Viscount Raynham.

TAUNTON.
Arthur Mills,
George Cavendish Bentinck.

TAVISTOCK.
Sir John Salusbury Trelawny, bt.,
Arthur John Edward Russell.

TEWKESBURY.
Hon. Frederick Lygon,
James Martin.

THETFORD.
Hon. William Henry (FitzRoy) Earl of Euston,
Alexander Hugh Baring.

THIRSK.
Sir William Payne Gallwey, bt.

TIVERTON.
Rt. hon. Henry John (Temple) Viscount Palmerston,
Hon. George Denman.

TOTNES.
John Pender,
Alfred Seymour.

TOWER HAMLETS.
Acton Smee Ayrton,
Charles Salisbury Butler.

TRURO.
Montague Edward Smith,
Augustus Smith.

TYNEMOUTH.
Richard Hodgson.

WAKEFIELD.
Sir John Charles Dalrymple, bt.

WALLINGFORD.
Richard Malins.

WALSALL.
Charles Forster.

WAREHAM.
John Wanley Erle Drax.

WARRINGTON.
Gilbert Greenall.

WARWICKSHIRE.
(Northern Division.)
Charles Newdigate Newdegate,
Richard Spooner.

(Southern Division.)
Evelyn Philip Shirley,
Sir Charles Mordaunt, bt.

WARWICK.
George William John Repton,
Edward Greaves.

WELLS.
Rt. hon. Sir William Goodenough Hayter, bt.,
Hedworth Hylton Jolliffe.

WENLOCK.
Rt. hon. George Cecil Weld Forester,
James Milnes Gaskell.

WESTBURY.
Sir Massey Lopes, bt.

WESTMINSTER.
Sir John Villiers Shelley, bt.,
Sir De Lacy Evans, G.C.B.

WESTMORELAND.
Hon. Henry Cecil Lowther,
Hon. Thomas (Taylour) Earl of Bective.

WEYMOUTH AND MELCOMBE REGIS.
Robert Brooks,
Hon. Arthur Edward (Egerton), Viscount Grey de Wilton.

WHITBY.
Harry Stephen Thompson.

WHITEHAVEN.
George Lyall.

WIGAN.
Hon. James Lindsay,
Henry Woods.

WIGHT (ISLE OF).
Charles Cavendish Clifford.

WILTON.
Edmund Antrobus.

WILTSHIRE.
(Northern Division.)
Walter Long,
Rt. hon. Thomas Henry Sutton Sotheron Estcourt.

Southern Division.)
Frederick Hervey Bathurst,
Hon. Henry Frederick (Thynne) Lord H. F Thynne.

WINCHESTER.
Sir James Buller East, bt.,
John Bonham-Carter.

WINDSOR.
William Vansittart,
George William Hope.

WOLVERHAMPTON.
Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

WOODSTOCK.
Hon. Alfred (Churchill), Lord A. Churchill.

WORCESTERSHIRE.
(Eastern Division.)
Harry Foley Vernon,
Hon. Frederick Henry Gough Calthorpe.

(Western Division.)
Frederick Winn Knight,
Hon. Henry (Pyndar) Viscount Elmley.

WORCESTER.
Richard Padmore,
Osman Ricardo.

WYCOMBE (CHEPPING).
John Remington Mills,
Martin Tucker Smith.

YARMOUTH (GREAT).
Sir Edmund Henry Knowles Lacon, bt.,
Sir Henry Josiah Stracey, bt.

YORKSHIRE.
(North Riding.)
Edward Stillingfleet Cayley,
Hon. William Ernest Duncombe,
William John Sawrey Morritt.

YORKSHIRE—*continued.*

(*East Riding.*)

Rt. hon. Beaumont (Hotham) Lord Hotham,
Hon. Arthur Duncombe.

(*West Riding.*)

Sir John William Ramsden, bt.,
Sir Francis Crossley, bt.

YORK.

Joshua Proctor Brown Westhead,
John George Smyth.

SCOTLAND.

ABERDEENSHIRE.

William Leslie.

ABERDEEN.

William Henry Sykes.

ARGYLLSHIRE.

Alexander Struthers Finlay.

AYRSHIRE.

Sir James Fergusson, bt.

AYR, &c.

Edward Henry John Craufurd.

BANFFSHIRE.

Robert William Duff.

BERWICKSHIRE.

David Robertson.

BUTESHIRE.

Rt. hon. David Mure.

CAITHNESS-SHIRE.

George Traill.

CLACKMANNAN AND KINROSS-SHIRES.

William Patrick Adam.

CUPAR, ST. ANDREWS, &c.

Edward Ellice.

DUMBARTONSHIRE.

Patrick Boyle Smollett.

DUMFRIES-SHIRE.

John James Hope Johnstone.

DUMFRIES, &c.

William Ewart.

DUNDEE.

Sir John Ogilvy, bt.

EDINBURGHSHIRE.

Hon. William Henry Walter (Montague-Douglas-Scott) Earl of Dalkeith.

EDINBURGH.

Adam Black,
Rt. hon. James Moncreiff.

ELGIN AND NAIRNSHIRE.

Charles Lennox Cumming Bruce.

ELGIN, &c.

Mountstuart Grant Duff.

FALKIRK, &c.

James Merry.

FIFESHIRE.

James Hay Erskine Wemyss.

FORFARSHIRE.

Hon. Charles Carnegie.

GLASGOW.

Walter Buchanan,
Robert Dalglish.

GREENOCK.

Alexander Murray Dunlop.

HADDINGTONSHIRE.

Hon. Francis Wemyss (Charteris) Lord Elcho.

HADDINGTON, &c.

Sir Henry Robert Ferguson Davie, bt.

INVERNESS-SHIRE.

Henry James Baillie.

INVERNESS, &c.

Alexander Matheson.

KILMARNOCK, RENFREW, &c.

Rt. hon. Edward Pleydell Bouverie.

KINCARDINESHIRE.

Hon. Hugh Arbuthnott.

KIRKCALDY, DYSART, &c.

Roger Sinclair Aytoun.

KIRKCUDBRIGHTSHIRE.

James Mackie.

KIRKWALL, WICK, &c.

Rt. hon. William Coutts (Keppel) Viscount Bury.

LANARKSHIRE.

Sir Thomas Edward Colebrooke, bt.

LEITH, &c.

William Miller.

LINLITHGOWSHIRE.

W. Ferrier Hamilton.

MONTROSE, &c.

William Edward Baxter.

ORKNEY AND SHETLAND.

Frederick Dundas.

PAISLEY.

Humphrey Ewing Crum-Ewing.

PEEBLES-SHIRE.

Sir Graham Graham Montgomery, bt.

PERTHSHIRE.

William Stirling.

PERTH.

Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.

Sir Michael Robert Shaw Stewart, bt.

ROSS AND CROMARTY SHIRES.

Sir James Matheson, bt.

ROXBURGHSHIRE.

Sir William Scott, bt.

SELKIRKSHIRE.

Hon. (Henry John Montagu Douglas Scott) Lord H. J. M. D. Scott.

STIRLINGSHIRE.

Peter Blackburn.

STIRLING, &c.

James Caird.

SUTHERLANDSHIRE.

Rt. hon. Sir David Dundas.

WIGTONSHIRE.

Sir Andrew Agnew, bt.

WIGTON, &c.

Sir William Dunbar, bt.

IRELAND.

ANTRIM.

Thomas Henry Pakenham,
Hon. George Frederick Upton.

ARMAGH.

Sir William Verner, bt.,
Maxwell Charles Close.

ARMAGH (CITY).

Joshua Walter MacGeough Bond.

ATHLONE.

John Ennis.

BANDON BRIDGE.

Hon. William Smyth Bernard.

BELFAST.

Sir Hugh MacCalmont Cairns, knt.,
Samuel Gibson Getty.

CARLOW.

Henry Bruen.

CARLOW (BOROUGH).

Sir John Emerich Dalberg Acton, bt.

CARRICKFERGUS.

Robert Torrens.

CASHEL.

John Lanigan.

CAVAN.

Hon. James Pierce Maxwell,
Hon. Hugh Annesley.

CLARE.

Crofton M. Vandeleur,
Francis McNamara Calcutt.

CLONMEL.
John Bagwell.

COLERAINE.
Sir Henry Hervey Bruce, bt.

CORK COUNTY.
Nicholas Philpot Leader,
Vincent Scully.

CORK (CITY).
Francis Bernard Beamish,
Francis Lyons.

DONEGAL.
Thomas Conolly,
Hon. James (Hamilton) Viscount Hamilton.

DOWNPATRICK.
David Stewart Ker.

DOWNSHIRE.
Hon. (Arthur Edwin Hill) Lord A. E. Hill,
William B. Forde.

DROGHEDA.
James McCann.

DUBLIN.
James Hans Hamilton,
Thomas Edward Taylor.

DUBLIN (CITY).
Sir Edward Grogan, bt.,
John Vance.

DUBLIN (UNIVERSITY).
Anthony Lefroy,
Rt. hon. James Whiteside.

DUNDALK.
Sir George Bowyer, bt.

DUNGANNON.
Hon. William Stuart Knox.

DUNGARVAN.
John Francis Maguire.

ENNIS.
William Stacpoole.

ENNISKILLEN.
Hon. John Lowry Cole.

FERMANAGH.
Mervyn Edward Archdall,
Hon. Henry Arthur Cole.

GALWAY.
Sir Thomas John Burke, bt.,
William Henry Gregory.

GALWAY (BOROUGH).
John Orrell Lever,
Hon. Ulick Canning (De Burgh) Lord Dunkellin.

KERRY.
Rt. hon. Henry Arthur Herbert,
Rt. hon. Valentine Augustus (Browne) Viscount Castlerosse.

KILDARE.
William Henry Ford Cogan,
Rt. hon. Richard More O'Ferrall.

KILKENNY.
Hon. Leopold George Frederick Agar-Ellis,
John Greene.

KILKENNY (BOROUGH).
Michael Sullivan.

KING'S COUNTY.
John Pope Hennessy,
Patrick O'Brien.

KINSALE.
Sir John Arnott, knt.

LEITRIM.
John Brady,
William Richard Ormsby Gore.

LIMERICK.
Rt. hon. William Monsell,
Samuel A. Dickson.

LIMERICK (CITY).
Francis William Russell,
George Gavin.

LISBURN.
Jonathan Joseph Richardson.

LONDONDERRY.
Robert Peel Dawson,
Sir Frederick William Heygate, bt.

LONDONDERRY (CITY).
William McCormick.

LONGFORD.
Myles William O'Reilly,
Fulke Southwell Greville.

LOUTH.
Chichester Samuel Fortescue,
Richard Montesquieu Bellew.

MALLOW.
Robert Longfield.

MAYO.
Roger William Palmer,
Hon. John Thomas (Browne) Lord J. T. Browne.

MEATH.
Matthew Elias Corbally,
Edward McEvoy.

MONAGHAN.
Charles Powell Leslie,
Sir George Forster, bt.

NEWRY.
Peter Quinn.

PORTARLINGTON.
Lionel Seymour Dawson Damer.

QUEEN'S COUNTY.
Michael Dunne,
Francis Plunket Dunne.

ROSCOMMON.
Fitzstephen French,
The O'Conor Don.

ROSS (NEW).
Charles Tottenham.

SLIGO.
Sir Robert Gore Booth, bt.,
Charles William Cooper.

SLIGO (BOROUGH).
Francis Macdonogh.

TIPPERARY.
O'Donoghue, Daniel (The O'Donoghue),
Lawrence Waldron.

TRALEE.
Daniel O'Connell.

TYRONE.
Rt. hon. Henry Thomas Lowry Corry,
Rt. hon. (Claud Hamilton) Lord C. Hamilton.

WATERFORD.
John Esmonde,
Hon. Walter Cecil Talbot.

WATERFORD (CITY).
Michael Dobbyn Hassard,
John Aloysius Blake.

WESTMEATH.
Sir Richard George Augustus Levinge, bt.,
William Pollard-Urquhart.

WEXFORD.
Patrick McMahon,
John George.

WEXFORD (BOROUGH).
John Edward Redmond.

WICKLOW.
William Wentworth Fitzwilliam Hume,
Hon. Granville Leveson (Proby) Lord Proby.

YOUGHAL.
Isaac Butt.

HANSARD'S PARLIAMENTARY DEBATES,

IN THE

FIFTH SESSION OF THE *EIGHTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 31 MAY 1859, AND FROM THENCE CONTINUED TILL 5 FEBRUARY 1863, IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, February 5, 1863.

MEETING OF THE PARLIAMENT.

THE PARLIAMENT, which had been Prorogued successively to the 24th October, thence to the 13th November, thence to the 13th January, and thence to the 5th February, met this day for Despatch of Business.

The Session of PARLIAMENT was opened by Commission.

HIS ROYAL HIGHNESS THE PRINCE OF WALES.

ALBERT EDWARD The Prince of the United Kingdom of Great Britain and Ireland (Duke of Saxony, Duke of Cornwall and Rothsay, Earl of Carrick, Earl of Dublin, Baron of Renfrew, Lord of the Isles, and Great Steward of Scotland) having been created Prince of Wales and Earl of Chester, was, in his Parliamentary Robes, and wearing the Collars of the Order of the Garter and of the Star of India, introduced in the following Order:

Gentleman Usher of the Black Rod.	Garter King of Arms, bearing His Royal Highness's Patent of Creation.

The Lord Kingsdown.
The Earl of Derby, K.G.

Lord Chamberlain of the Household.	Lord Steward of the Household.
Deputy Earl Marshal.	The Lord Great Chamberlain.
Lord Privy Seal.	Lord President of the Council.

The Coronet of the Prince
On a Crimson Velvet Cushion, borne by The Honorable Robert Henry Meade, one of the Gentlemen of His Royal Highness's Household.

HIS ROYAL HIGHNESS THE PRINCE OF WALES
Carrying his Writ of Summons, supported by

The Duke of Newcastle, K.G., in his Robes.	H.R.H. The Duke of Cambridge, K.G., in his Robes.

Attended by

The Earl of Mount Edgcumbe,	The Earl Spencer,

All in their Robes;

And proceeded from the Bar up the House with the usual Reverences,—the Writ and Patent were delivered to The Lord Chancellor on the Woolsack; His Royal Highness then proceeded with his Supporters to the Table, the Rest of the Procession standing near; the Letters Patent and Writ were read by the Clerk of the Parliaments at the Table, where His Royal Highness took and subscribed the Oath; after which His Royal Highness was conducted to his Chair on the Right Hand of the Throne, and His Royal Highness being covered as usual, the Ceremony was concluded, and His Royal Highness received the Congratulations of the Lord Chancellor.

(The Knights of Orders wore their Collars.)

ROLL OF THE LORDS.

Garter King of Arms attending, *delivered* at the Table (in the usual Manner) a List of the Lords Temporal in the Fifth Session of the Eighteenth Parliament of the United Kingdom.

The same was Ordered to lie on the Table.

TOOK THE OATH.

The Archbishop of Canterbury, the Archbishop of York.

WRITS AND RETURNS.

Writs and Returns electing The Viscount Hawarden a Representative Peer for Ireland, in the room of the late Viscount Dungannon, deceased; with the Certificate of the Clerk of the Crown in Ireland annexed thereto—*Delivered* (on Oath), and Certificate read.

SELECT VESTRIES.

Bill, *pro formâ,* read 1ª.

THE LORDS COMMISSIONERS' SPEECH.

THE LORDS COMMISSIONERS—namely, The LORD CHANCELLOR, The LORD PRIVY SEAL (The Duke of Argyll), The LORD STEWARD of the HOUSEHOLD (the Earl of St. Germans), The LORD CHAMBERLAIN of the HOUSEHOLD (the Viscount Sydney), The LORD STANLEY of ALDERLEY (Postmaster General)—being in their Robes, and seated on a form placed between the Throne and the Woolsack, commanded the Gentleman Usher of the Black Rod to signify to the Commons "The Lords Commissioners desire their immediate attendance in this House."

Who being come, with their Speaker;

THE LORD CHANCELLOR, in pursuance of Her Majesty's Commands, *delivered* the Speech of THE LORDS COMMISSIONERS to both Houses of Parliament, as follows:—

"*My Lords, and Gentlemen,*

"HER Majesty commands us to inform you that since you were last assembled She has declared Her Consent to a Marriage between His Royal Highness The Prince of *Wales* and Her Royal Highness The Princess *Alexandra,* Daughter of Prince *Christian* of *Denmark;* and Her Majesty has concluded thereupon a Treaty with The King of *Denmark,* which will be laid before you.

"THE constant Proofs which Her Majesty has received of your Attachment to Her Person and Family persuade Her that you will participate in Her Sentiments on an Event so interesting to Her Majesty, and which, with the Blessing of God, will, She trusts, prove so conducive to the Happiness of Her Family, and to the Welfare of Her People.

"HER Majesty doubts not that you will enable Her to make Provision for such an Establishment as you may think suitable to the Rank and Dignity of the Heir Apparent to the Crown of these Realms.

"A REVOLUTION having taken place in *Greece,* by which the Throne of that Kingdom has become vacant, the *Greek* Nation have expressed the strongest Desire that Her Majesty's Son, Prince *Alfred,* should accept the *Greek* Crown. This unsolicited and spontaneous Manifestation of Goodwill towards Her Majesty and Her Family, and of a due Appreciation of the Benefits conferred by the Principles and Practice of the *British* Constitution, could not fail to be highly gratifying, and has been deeply felt by Her Majesty.

"But the Diplomatic Engagements of Her Majesty's Crown, together with other weighty Considerations, have prevented Her Majesty from yielding to this general Wish of the *Greek* Nation.

"Her Majesty trusts, however, that the same Principles of Choice which led the *Greek* Nation to direct their Thoughts, in the first instance, towards His Royal Highness Prince *Alfred*, may guide them to the Selection of a Sovereign under whose Sway the Kingdom of *Greece* may enjoy the Blessings of internal Prosperity and of peaceful Relations with other States; and if in such a State of Things the Republic of the Seven Islands should declare a deliberate Wish to be united to the Kingdom of *Greece*, Her Majesty would be prepared to take such Steps as may be necessary for a Revision of the Treaty of *November* 1815, by which that Republic was reconstituted, and was placed under the Protection of the *British* Crown.

"Her Majesty's Relations with Foreign Powers continue to be friendly and satisfactory.

"Her Majesty has abstained from taking any Step with a view to induce a Cessation of the Conflict between the contending Parties in the *North American* States, because it has not yet seemed to Her Majesty that any such Overtures could be attended with a Probability of Success.

"Her Majesty has viewed with the deepest Concern the desolating Warfare which still rages in those Regions; and She has witnessed with heartfelt Grief the severe Distress and Suffering which that War has inflicted upon a large Class of Her Majesty's Subjects, but which have been borne by them with noble Fortitude and with exemplary Resignation. It is some Consolation to Her Majesty to be led to hope that this Suffering and this Distress are rather diminishing than increasing, and that some Revival of Employment is beginning to take place in the manufacturing Districts.

"It has been most gratifying to Her Majesty to witness the abundant Generosity with which all Classes of Her Subjects in all Parts of Her Empire have contributed to relieve the Wants of their suffering Fellow Countrymen; and the Liberality with which Her Majesty's Colonial Subjects have on this Occasion given their Aid has proved that, although their Dwelling Places are far away, their Hearts are still warm with unabated Affection for the Land of their Fathers.

"The Relief Committees have superintended with constant and laborious Attention the Distribution of the Funds intrusted to their Charge.

"Her Majesty commands us to inform you that She has concluded with The King of the *Belgians* a Treaty of Commerce and Navigation, and a Convention respecting Joint Stock Companies. That Treaty and that Convention will be laid before you.

"Her Majesty has likewise given Directions that there shall be laid before you Papers relating to the Affairs of *Italy*, of *Greece*, and of *Denmark*, and that Papers shall also be laid before you relating to Occurrences which have lately taken place in *Japan*.

"Gentlemen of the House of Commons,

"Her Majesty has directed that the Estimates for the ensuing Year shall be laid before you. They have been prepared with a due Regard to Economy, and will provide for such Reductions of Expenditure as have appeared to be consistent with the proper Efficiency of the Public Service.

"My Lords, and Gentlemen,

"We are commanded by Her Majesty to inform you that, notwithstanding the Continuance of the Civil War in *North America,* the general Commerce of the Country during the past Year has not sensibly diminished.

"The Treaty of Commerce which Her Majesty concluded with The Emperor of the *French* has already been productive of Results highly advantageous to both the Nations to which it applies; and the general State of the Revenue, notwithstanding many unfavourable Circumstances, has not been unsatisfactory.

"Her Majesty trusts that these Results may be taken as Proofs that the productive Resources of the Country are unimpaired.

"It has been gratifying to Her Majesty to observe the Spirit of Order which happily prevails throughout Her Dominions, and which is so essential an Element in the Well-being and Prosperity of Nations.

"Various Measures of public Usefulness and Improvement will be submitted for your Consideration; and Her Majesty fervently prays that in all your Deliberations the Blessing of Almighty God may guide your Counsels to the Promotion of the Welfare and Happiness of Her People."

Then the Commons withdrew.

House adjourned during pleasure.

House *resumed.*

ADDRESS TO HER MAJESTY ON THE LORDS COMMISSIONERS' SPEECH.

The Lords Commissioners' Speech having been *reported* by The Lord Chancellor,

The Earl of DUDLEY said: My Lords, I rise to move an Address to Her Majesty in answer to Her gracious Speech. In doing so I am relieved from much of that anxiety which has frequently attached to persons who have undertaken the same duty, by the knowledge that many of the propositions contained in the Address will meet with your Lordships' unanimous approval. Upon this occasion, my Lords, I cannot but express my regret that the Speech to which we are about to reply has been delivered, necessarily, through Commissioners, and not by her Majesty in Person; for it has thereby lost the great charm which your Lordships have so often experienced when the Speech has been delivered from the Throne by Her Majesty personally, and which I trust your Lordships will again experience in many future years.

My Lords, the first point in Her Majesty's Speech to which I will refer is one possessing the greatest possible interest for Her Majesty herself, for the Prince of Wales, and for the nation at large. It is of the deepest interest to our Sovereign, because across that cloud which has overshadowed the Royal circle it will throw some rays of light, which I trust will diffuse themselves around until they have dissipated the gloom in that chamber of sorrow, leaving but one dark corner withdrawn from public gaze in which one name, one idea, must ever remain veiled. I turn from this grave subject, my Lords, to say that there can be no more pleasing duty to your Lordships than to receive among you the future Sovereign of these realms, and to welcome that illustrious Prince to his seat among the Peers of England, and the more especially so as the Sovereign has just made known to us that an act the most important to his future life has been determined on; and we are therefore enabled to express publicly our warmest hopes for his future happiness in an event which has hitherto been only the subject of rumour. Your Lordships, I am sure, all trust that many years will elapse before the Prince of Wales shall be called upon to take the highest position in the State; but we may hope that his Royal Highness, in the step he is taking, is about to enter upon a course of domestic happiness, of far more real importance to his future welfare. And if for the attainment of that happiness the most careful training, received with filial obedience, of intelligence and mental power, whereby such training could be fully developed, can prepare a Prince for such a future as seems to be before His Royal Highness, and for so fair a Crown as awaits him, then can no one be more justly envied in every respect, both public and private, than the Prince of Wales, whom I have the honour of addressing. I may even go a step further, and touching upon more personal and delicate ground, I may express a hope that His Royal Highness in his married life may enjoy all the advantages which those less gifted in respect of position or power derive in the struggles and trials of life from a perfect understanding between man and wife. To the advantages already enjoyed by him the Prince has been able to superadd another, that among the limited number of Princesses with whom it was possible for him to form an alliance, he has found one in whom not only beauty, elegance, accomplishments, and high training are united, but who possesses that necessary element of union and happiness in domestic life, the same feeling in regard to religion. I may indeed say, that if there be any ground for the common belief that marriages are not designed upon earth, it may be fairly inferred that the marriage about to be contracted by our future Sovereign is of Diviner origin.

From that subject I will pass to another, with which the country at large is more particularly interested, although the interest of the Sovereign is a direct and personal one in it, for it cannot be otherwise than a source of gratification to our Queen in her retirement to find that the training which her children have received has been such that a foreign nation seeking for a Sovereign was prepared to accept for their King one of her sons, a Prince only just verging into manhood, and consequently quite inexperienced, but who by faith in his education and training was deemed qualified to occupy the important position that has been offered to him. That it should not have been possible to accept the offer of the Kingdom of Greece, in consequence of existing diplomatic engagements, is only saying that England, however flattering an offer might be, would not hesitate to decline it when contrary to the faith of treaties. Had it been otherwise, and had it been possible to comply with the wish of the Greek nation, it might have been a great advantage to Greece; but as opposed to diplomatic engagements, it has necessarily been declined. The mention of Greece naturally leads me to refer to the proposition which, however startling it may at first sight appear, has actually been made—namely, that the Ionian Islands shall be ceded to the future Constitutional Sovereign of Greece, whoever he may happen to be. I have no doubt, when that proposal was heard for the first time, it may have been regarded as a proposal to hand over some portion of Her Majesty's dominions to another Power. But that is not so. I need scarcely state, in your Lordships' House, that it is only as Protectors under special treaties that we stand in any relation to those Islands; and if with due regard to their future these Islands can be given up, it will speak highly for the days in which we live, that without detriment to England from the transference, they can be safely handed over to the new Sovereign of Greece. It is, I must say, a matter of almost painful curiosity to know how the problem of who shall fill the throne of Greece is to be solved; but I cannot help thinking, that if Greece were true to herself, there must within her own realm be found one capable of taking charge of her national interests; and if the natural jealousies which attend the setting up a Royal House were once over, one holding the same religion and speaking the same language as the Greeks themselves would have a far better chance of ruling with power and dignity than any foreign Prince, come from what quarter he may. My Lords, the Royal Speech informs us on this occasion, as we have happily been informed on many previous occasions, that "Her Majesty's relations with Foreign Powers continue to be friendly and satisfactory."

Our earnest desire must be that they shall so continue. It is of the greatest consequence to the country that it should be so, for it is to that friendship more than to our armies and navies that we look for the peace of the world. In one quarter that peace, unfortunately, has been broken, and Her Majesty declares that she "has abstained from taking any steps with a view to induce a cessation of the conflict between the contending parties in the North American States, because it has not yet seemed to Her Majesty that any such overtures could be attended with a probability of success." In my opinion, the proposal which was made to Her Majesty's Government to intervene in order to bring to an end the civil conflict in America has been most rightly rejected, inasmuch as any proposition of that sort must have fallen uselessly to the ground from the temper which at that time prevailed on both sides in America; and I cannot say that even since that offer was rejected any great change towards a better state of sentiment and feeling has occurred, so as to afford any likelihood of bringing the two parties together. It must not, however, for a single moment be supposed that it is not for the interest of this country that that war should cease. Putting humanity out of the question altogether, and speaking of the interests of this country merely commercially, we cannot look to the distress existing in these realms, and know how to a great extent the cessation of that war would cause that suffering to cease, without an earnest desire that the present unfortunate contest in America should be brought to a close. But I do think—especially looking to the feelings which were created by our declaration that we would adhere to a course of strict neutrality between the parties—that anything we can do is more likely to embitter than allay the bitter animosity which at present seems to exist towards this country. Why such a hostile feeling should exist I do not know, for in all truth and honesty our neutrality has been a real one. It may perhaps be natural that both sides should be disappointed by the course we have determined to pursue; for both sides—both the North and South—have made efforts to induce us to a breach of our declared neutrality, and to giving to the world some outward and visible sign of that breach. But I do say, neither here in the House of Lords, nor in the other House of Parliament, nor in the country at large, certainly by none who have the honour and dignity of this country at heart, has there been any other sentiment felt or expressed than that this war should cease. Our desire for the future of America herself, for her people, for her power, leads us to hope for the termination of this unnatural contest. If, despite all we have said and done, there still exists on the other side of the Atlantic such bitter animosity against this country, we must bear with it—we must be prepared to receive, as arising from the excitement of war and the general disturbance of the public mind, imputations and expressions not founded in truth or justice, feeling that the uprightness and dignity of this country can afford to pass them by in silence. My Lords, Her Majesty refers "with heartfelt grief to the severe distress which that war has inflicted upon a large class of Her Majesty's subjects, but which have been borne by them with noble fortitude and resignation." No such blow has, indeed, before fallen upon England; and it has been met in the most noble spirit of munificent charity; but we cannot look forward to a chronic state of things such as that described in Her Majesty's Speech, in which a large portion of the most industrious of our population are maintained merely by the outstretched hand of charity, without feelings of apprehension. There must be an end to such a state of things, and that end is to be found by bringing about a peaceful solution of the difficulty on the other side of the Atlantic. But whatever is done by England to that end must be done only in a manner consistent with our honour, and only attempted when the proper moment shall seem to have arrived. I must say—though that is but small consolation—that the result of the distress in the cotton districts has shown that in the days in which we live more confidence is to be placed in the people at large, in their good sense, courage, and forbearance, than in times gone by could have been expected. It was scarcely possible that a greater trial could have visited a very large body of the people than that which has now fallen on Lancashire; yet it has been borne without an outrage or crime, so that their conduct has excited the admiration of the world at large. It has been said over and over again, but still I must repeat it here—for what comes from your Lordships on so important an occasion as on the night of your first meeting, must come with great weight—it would have been impossible for the country at large to have escaped that disturbance and violence which has prevailed during periods of distress in times past, but for the good sense and patience which have characterized the suffering classes. Speaking of the rerelief of so great a distress as this, I should be wanting both in memory and gratitude, if I did not say that not England only in its length and breadth has nobly done her duty, but that England's sons all over the world, especially in her colonies, have been among the most ready to send contributions home to relieve it. I may go one step further, and say, that if there has been one bright spot upon the troubled surface of America itself, it is that her citizens, in the midst of all their troubles, have not forgotten that the claims of charity are paramount. What has been done, and, I fear, what remains to be done, has thrown on many an amount of work, of anxiety, and of organization, which there are men, and women too, I must add, in this country always prepared to exhibit, but which have been better shown in this emergency than perhaps on any former occasion. While the magnitude of the distress was scarcely yet known, there was a cry of distress; but before that cry met with a wide and general response, a distinct determination was expressed throughout the country at large that all parties, as far as they could be reached, should be called on to bear their part, and that the funds should be administered as purely and as satisfactorily as possible; and, from all I can learn, but one sentiment is to be heard, of deep thankfulness to those who have come forward to contribute and to administer those funds. My Lords, Her Majesty informs us that She has concluded a Treaty of Commerce with the King of the Belgians, and without doubt such treaties, when they come into operation, will contribute, as other commercial treaties have already done, to the prosperity of this country. But, independent of treaties, there are other relations with foreign countries, and which Her Majesty refers to in the Speech, on which this country has set its heart. I trust that England adheres to the principle of non-interference, and that other countries will be induced to adopt the same. There is one country which will never be itself till foreign intervention is removed. I am sure that I speak the sentiments of the great majority of the English people when I say that they desire to see Italy left to its own course, that it may once more take its place among the nations of Europe; and that as it is now, from its climate and natural beauty, a very Paradise of the earth, it may become equally distinguished for the freedom and prosperity of its people. This, I venture to say, is the sincere desire of your Lordships, as it is of the nation at large. That this will be so I have no doubt, though when it will be must depend upon those who can move only as the affairs of the world move, neither hastening nor retarding them, but accepting events as they arise.

My Lords, having now touched on some of the principle paragraphs of Her Majesty's Speech, I must, before I sit down, turn to a matter more personal to your Lordships, and lament that one has passed away from this (the Ministerial) side of the House, who has long enjoyed the deep respect of all who have been either politically associated with or opposed to him, for in private life there was not one of your Lordships who had the honour of knowing him who has not been his sincere friend. The Marquess of Lansdowne stood in your Lordships' House rich in all the experience of years, and invested, as they rolled on, with an authority which could be derived only from length of years and vast experience. It will be remembered that not many years ago he took formal leave of official life, and intimated that it was not his intention again, except very occasionally, to take a part in the debates of this House. His voice is now closed in death, and that calm judgement and mild wisdom which lent so much force and weight to the counsels he gave are lost for ever.

For myself, my Lords, I must be allowed to add that whatever claim the importance of my subject may have on your Lordships' attention, I am indebted solely to your kind indulgence for so patient a hearing of these very imperfect remarks.

The noble Earl concluded by moving that an humble Address be presented to Her Majesty, as follows:—

MOST GRACIOUS SOVEREIGN,

"WE, Your Majesty's most dutiful and loyal Subjects the Lords Spiritual and Temporal in Parliament assembled, beg leave to offer our humble

Thanks to Your Majesty for the Gracious Speech which Your Majesty has commanded to be made to both Houses of Parliament.

"We humbly thank Your Majesty for informing us that Your Majesty has declared Your Consent to a Marriage between His Royal Highness The Prince of *Wales* and Her Royal Highness The Princess *Alexandra*, Daughter of Prince *Christian* of *Denmark*, and for commanding that the Treaty which has been concluded thereupon with The King of *Denmark* should be laid before us.

"We humbly express to Your Majesty our full Participation in Your Majesty's Sentiments on an Event so interesting to Your Majesty, and which, with the Blessing of God, will, we trust, prove so conducive to the Happiness of Your Majesty's Family and the Welfare of Your People; and assure Your Majesty that we will make Provision for such an Establishment as may be thought suitable to the Rank and Dignity of the Heir Apparent to the Crown of these Realms.

"We humbly assure Your Majesty that we cannot fail to be highly gratified and deeply to feel the unsolicited and spontaneous Manifestation of Goodwill towards Your Majesty and Your Family, and of a due Appreciation of the Benefits conferred by the Principles and Practice of the *British* Constitution, which has led the *Greek* Nation to express so strong a Desire that Your Majesty's Son, Prince *Alfred*, should accept the *Greek* Crown.

"We thank Your Majesty for informing us that the Diplomatic Engagements of Your Majesty's Crown, together with other weighty Considerations, have prevented Your Majesty from yielding to this general Wish of the *Greek* Nation.

"We humbly assure Your Majesty that with Your Majesty we trust that the same Principles of Choice which led the *Greek* Nation to direct their Thoughts, in the first instance, towards His Royal Highness Prince *Alfred*, may guide them to the Selection of a Sovereign under whose Sway the Kingdom of *Greece* may enjoy the Blessings of internal Prosperity and of peaceful Relations with other States; and express our Thanks to Your Majesty for informing us, that if in such a State of Things the Republic of the Seven Islands should declare a deliberate Wish to be united to the Kingdom of *Greece*, Your Majesty would be prepared to take such Steps as may be necessary for a Revision of the Treaty of *November* 1815, by which that Republic was reconstituted, and was placed under the Protection of the *British* Crown.

"We humbly express the Gratification with which we learn that Your Majesty's Relations with Foreign Powers continue to be friendly and satisfactory.

"We humbly thank Your Majesty for informing us that Your Majesty has abstained from taking any Step with a view to induce a Cessation of the Conflict between the contending Parties in the *North American* States, because it has not seemed to Your Majesty that any such Overtures could be attended with a Probability of Success.

"We assure Your Majesty that we share in the Concern with which Your Majesty has viewed the desolating Warfare which still rages in those Regions, and in the heartfelt Grief with which Your Majesty has witnessed the severe Distress and Suffering which that War has inflicted upon a large Class of Your Majesty's Subjects, but which have been borne by them with noble Fortitude and with exemplary Resignation; and we trust with Your Majesty that this Suffering and this Distress are rather diminishing than increasing, and that some Revival of Employment is beginning to take place in the manufacturing Districts.

"We humbly express to Your Majesty our deep Gratification at the abundant Generosity with which all Classes of Your Majesty's Subjects in all Parts of Your Empire have contributed to relieve the Wants of their suffering Fellow Countrymen; and at the Liberality with which Your Majesty's Colonial Subjects have on this Occasion given their Aid; proving that although their Dwelling Places are far away, their Hearts are still warm with unabated Affection for the Land of their Fathers; and we humbly convey to Your Majesty our Sense of the Value of the constant and laborious Attention with which the Relief Committees have superintended the Distribution of the Funds intrusted to their Charge.

"We humbly thank Your Majesty for informing us that Your Majesty has concluded with the King of the *Belgians* a Treaty of Commerce and Navigation, and a Convention respecting Joint Stock Companies, and for directing that Treaty and Convention to be laid before us, together with Papers relating to the Affairs of *Italy*, of *Greece*, and of *Denmark*, and to Occurrences which have lately taken place in *Japan*.

"We humbly express to Your Majesty our Satisfaction at learning that, notwithstanding the Continuance of the Civil War in *North America*, the general Commerce of the Country during the past Year has not sensibly diminished; that the Treaty of Commerce which Your Majesty concluded with The Emperor of the *French* has already been productive of Results highly advantageous to both the Nations to which it applies; and that the general State of the Revenue, notwithstanding many unfavourable Circumstances, has not been unsatisfactory.

"THAT with Your Majesty we trust that these Results may be taken as Proofs that the productive Resources of the Country are unimpared.

"WE humbly convey to Your Majesty the Expression of our deep Gratification at the Spirit of Order which happily prevails throughout Your Majesty's Dominions, and which is so essential an Element in the Well-being and Prosperity of Nations.

"WE humbly assure Your Majesty that we will give our most serious Attention to the various Measures of public Usefulness and Improvement which may be submitted for our Consideration; and that with Your Majesty we fervently pray that the Blessing of Almighty God may attend our Deliberations, and guide them to the Promotion of the Welfare and Happiness of Your Majesty's People."

THE EARL OF GRANARD: My Lords, it is with considerable diffidence that I rise to second the Address, so ably moved by the noble Earl beside me, for it may be truly said that that noble Earl has so fully exhausted the subject that there is little left for me to comment upon. I trust, however, that in the few observations which I shall make I shall receive your Lordships' usual indulgence.

My Lords, most naturally does the Royal Speech allude to the topic now foremost in the minds of Her Majesty's subjects—the marriage of his Royal Highness the Prince of Wales;—and I am sure it is unnecessary for me to ask your Lordships whether you participate in the language of the Speech in regard to an event so interesting to Her Majesty, and which, with the blessing of God, She trusts will prove so conducive to the happiness of Her family and the welfare of Her people. My Lords, as the nation sympathized with Her Majesty in Her bereavement and sorrow, and would gladly give her every consolation in its power; so it also sympathizes in the joy She must feel at seeing the Heir Apparent about to enter into those engagements which, from the character of the high contracting parties, promise to bring about a renewal of that spectacle of unalloyed happiness and uninterrupted good example which so eminently distinguished the married life of his Royal parents. And, though it is awkward to speak on such a subject in His Royal Highness's presence, I venture to say, without any fear of contradiction, that no British Prince has ever had the same advantages in beginning life as, under the prudent guidance of Her Majesty and Her illustrious Consort, His Royal Highness has enjoyed, in being able to make himself acquainted with those subjects which would fit him at some future—it is to be hoped distant—time, to assume the Crown of these realms. He has, after careful study, been enabled to read in that best of books, the world, under different aspects and in different climes. He has visited regions that would have been deemed inaccessible by many private gentlemen in the last century, and he has had an opportunity of judging by personal observation of many of the Governments and nations of the Old World and the New. In the one hemisphere he has wandered among the relics of a bygone civilization, while in the other he has seen—what in all human probability none of us will ever see again—the great Republic of the western world in its pristine entirety; and no doubt His Royal Highness has, in his own mind, contrasted these things with those home institutions which have now stood for centuries, vigorous and unimpaired, that greatest test, the decaying hand of Time.

My Lords, your Lordships will next, no doubt, recognise with satisfaction the compliment paid to Her Majesty and to this country by the spontaneous offer made of the crown of Greece for Prince Alfred; and you will also see with satisfaction in that offer an additional proof that the present aspirations of the nationalities of Europe tend more to the principles of sound constitutional government than to those principles of anarchy and disorder which produced such disastrous results in the years 1848 and 1849. Still, your Lordships will, I think, agree in the wisdom which dictated the refusal of the vacant throne of Greece, however tempting the offer. It was not for Her Majesty's Government to disregard the engagements from time to time entered into by wise Administrations relative to the affairs of Greece. But, even taking it upon lower ground, it would scarcely have been advisable to place a British Prince in a position which, from its peculiar nature, might have brought the policy of this country into closer contact with the entanglements of that Eastern question, the solution of which is so fraught with danger to the peace of Europe. We can, therefore, in the language of the Speech, only continue to show our goodwill towards the Greeks, and trust that the moderation which has hitherto prevailed in their councils may lead them to choose such a Prince as will not only give them the happiness they deserve, but will also develop the neglected resources of their country. Should that happen, I trust that your Lordships will agree in the prudence of the proposal that Her Majesty should negotiate with the other Powers to permit the Ionian Republic to be added to Greece, thereby correcting the mistake made by former treaties in restricting too much the territory of that kingdom, proving also our appreciation of the goodwill manifested towards us by the spontaneous election of Prince Alfred, and proclaiming our interest in the welfare and prosperity of Greece.

My Lords, your Lordships have no doubt heard with satisfaction that Her Majesty's friendly relations with Foreign Powers have suffered no diminution.

My Lords, I come now to a topic of the Royal Speech to which renewed prominence has been given by a late French despatch—I mean the question of mediation in the civil war now raging in America. However much your Lordships deplore the continuance of a war so materially affecting ourselves, and however much we hope for its speedy termination, yet I think your Lordships will approve the prudence which dictated a policy of non-intervention to Her Majesty's Government, and will agree that our interference in American affairs would only have produced intense irritation among the American people. It might have given rise to unpleasant complications, revived ancient jealousies, and certainly would have had no effect in putting an end to the strife. It was, therefore, much better to leave to the Emperor of the French the task which he had imposed on himself, with the hope that his generous intentions and good counsels might be accepted by the contending parties.

My Lords, the natural sequence to the paragraph on the American war is an allusion to the sad and unmerited affliction which has fallen upon our operatives in Lancashire. And here I cannot refrain from paying my humble meed of admiration to the noble manner in which those sufferings have been borne. Formerly the news of distress in the manufacturing districts filled the public mind with serious apprehension; but nothing could have more strongly proved the gradual improvement which has taken place among the operative classes during the last twenty years, than the way in which they have endured their present affliction. There are many noble Lords present who may remember past distress in the manufacturing districts, the bitter array of class against class, the infuriate complaint, and the armed repression of the sufferers. Now, the only struggle is a most noble one—it is only who shall be most forward in alleviating the distress, and, among the labourers, who shall show the best example of patience, fortitude, and manly resignation. You have seen Her Majesty's name foremost in the list of subscribers, and all your Lordships must have noticed the princely donation of the noble Earl opposite, whose historic name is so intimately connected with Lancashire, and to whom that county is even more deeply indebted than for his generosity for the able management he has brought to bear upon the distribution of the relief fund. It must be a matter of satisfaction to your Lordships to reflect, that if the cry of distress has gone far and wide, the response has reached the length and breadth of the land likewise, and it has come not only from this country but from the uttermost parts of our vast colonial empire, proving, in the words of the Royal Speech, "that although their dwelling-place is far away, their hearts are still warm with unabated affection for the land of their fathers." As an Irishman I am proud that Ireland has responded to the prompting of gratitude; that she has not forgotten the helping hand that was stretched forth to her when the dark cloud of adversity swept over the land. If I may be permitted to say so, the contributions from Ireland are the more creditable because at the present moment considerable distress exists in that country. There have been three successive bad harvests, the trade of the country has proportionately declined, and I am afraid that many of the farmers will be without the means to crop the land this season. I therefore venture to express a hope that Parliament will during the present Session give its sanction to measures authorizing works of arterial drainage, and to some such useful measures as will enable them not only to develop the resources of the country, but to alleviate the existing distress. Your Lordships will have learned with satisfaction that Her Majesty has concluded a Treaty of Commerce and Navigation with the King of the Belgians. Your Lordships are also told that various measures of public usefulness and improvement will be submitted for your consideration; and no doubt one among them will probably be a measure embodying the recommendation of the Royal Commission now inquiring into the subject of convict management. I trust your Lordships will bear with me if I state that I think an erroneous impression is now abroad respecting the relative merits of the English and Irish systems of convict management. I do not wish to cast any reflections on any particular person or measure; but although, in common with most people, I give the preference to the Irish system of gaol and convict management, yet I think that the difference between the classes of criminals with which the two systems have to deal has not been sufficiently taken into account. In Ireland most of the crimes are committed from passion or impulse. Hence there are fewer relapses into crime than in England; and to that circumstance, and also to the fact that ticket-of-leave men are kept under police surveillance, I ascribe the more satisfactory results of the Irish convict system.

My Lords, Her Majesty ends Her most gracious Speech by praying that the blessing of Almighty God may guide our counsels to the promotion of the welfare and happiness of Her people. May I now also fitly conclude by a prayer, in which I am sure your Lordships will join with me?—that Almighty God will continue His blessing on Her Majesty and Her Royal House, and on him whom for the first time we have the pleasure of seeing among us this evening! My Lords, it only remains to me to second the Address which has been moved by my noble Friend. [*See Page* 14.]

THE EARL OF DERBY:—My Lords, there is one topic touched upon in the Speech delivered from the Throne with respect to which there will be, most decidedly, no difference of opinion among your Lordships, and with regard to which we may freely express our feelings without any mental reservation, any *arrière pensée*, or any protest with a view to future proceedings. This time last year it was our melancholy duty to present to the widowed Sovereign of this country a tribute of respect, condolence, sympathy, and affection, as deep and genuine as was ever offered by a great nation to the possessor of its Throne. This year a different and a more pleasing duty devolves upon us. In place of the language of condolence upon the direst calamity which could afflict our Sovereign's heart—a calamity which still bows her down in sorrow—a sorrow that will never cease—we have to substitute the language of congratulation upon an event which in every point of view must be a source of consolation, of comfort, and even of rejoicing to Her Majesty, as it must be to Parliament and the country at large. We have now to congratulate Her Majesty and the country upon the approaching marriage of the heir to the Throne, of that illustrious Prince whom we have had the honour and the happiness of receiving within our walls this day; we have to congratulate Her Majesty and him upon an event which, as far as human foresight can tell, promises to His Royal Highness the greatest amount of happiness which can be enjoyed in this life. It is not to him alone as heir to the Throne, however, that we tender our respectful congratulation. We congratulate one who has already by the courtesy of his demeanour and the amiability of his manners won the regard and affection of those who have been privileged to approach him; one who at a very early age, when placed in circumstances of no inconsiderable difficulty, has displayed a tact, a judgment, a discretion which promise well for the results of his future career. My Lords, we congratulate Her Majesty and His Royal Highness upon his approaching union with a Princess of whom all who have the happiness of knowing her personally speak in terms implying their conviction that, endowed with every gift of person and of mind, she is fully qualified to take upon herself that high lot which destiny has assigned to her, and to become the partner of the Sovereign of the greatest empire in the world. We rejoice also in reflecting that Her Royal Highness comes from a country between the inhabitants of which and our own there are many points of similarity of character, many natural and national ties, and much community of interests; a country enjoying a constitutional monarchy, and that constitutional monarchy one the integrity and independence of which, I may venture to say, is a matter which never can be regarded with indifference by the Parliament, the people, or, I hope, the Government of England. I can express upon this subject no better wish for His Royal Highness than that in the approaching most important event of his life he and the Princess whom he has chosen to share his high position may enjoy happiness as unalloyed—God grant that it may be far more lasting!—as that which fell to the lot of his illustrious parents.

My Lords, turning from this to a certain degree personal, but yet most deeply interesting and important topic, I am happy to be able to say, touching a subject which engages the attention of all men in all parts of the world, that I have no fault to find with, no objection to raise to, the course which Her Majesty's Government have pursued with respect to what is justly called the "desolating warfare" now raging in the hitherto United States of America. I may regret, indeed, that Her Majesty's Government did not feel themselves justified in joining in the attempt, however hopeless that attempt might appear, to which they were invited by the Sovereign of France; not, as the noble Earl who has just spoken, by a slip of the tongue, said, for the purpose of putting an end to the war, but with the view of endeavouring by good offices to obtain such an armistice or cessation of hostilities as might lead the two parties themselves to reflect upon the miseries and hopelessness of the war in which they are at present engaged. I think it is matter of regret that Her Majesty's Government did not feel themselves justified in acceding to the wish of the Emperor of the French; but before I censure the course pursued by them, it is only fair I should say that they were in possession of much better means of information than any I can pretend to as to whether such an interference as the one contemplated, intended to put an end to the war, might not rather have aggravated the bitterness of the strife by the irritation arising from any foreign intervention. Upon that point, which doubtless they considered in all its bearings, they were probably enlightened by the despatches of our Minister at Washington. I therefore take no objection to the course pursued, although I regret that no attempt was made to promote the restoration of peace. "Mediation" would, perhaps, not be a correct or legitimte expression to apply to that proposed species of intervention. I presume that, previous to attempting mediation, the two parties should be agreed upon the terms, or at all events the principles, upon which it ought to be conducted; but, if I know anything of the state of feeling in the Northern and Southern States, the question at issue between them is not a question of degree, but a question of fundamental principle, as to which there can be no mediation, because it is a question on one side of the continuance of the Union, and on the other of separation. And so much being decided, it is necessary to determine on what principle the negotiations should proceed—whether on the principle of maintaining the Union in its integrity, or of acquiescing in the separation of the two bodies. I feel that that difficulty meets us at the outset; and I greatly fear from the language of the respective parties that at present the consent of both could not be obtained to either principle. It has been said by personal and political friends of my own—men for whose opinions I entertain the highest respect—that the time has arrived when it is desirable that we should recognise the Southern Republic. Upon that subject, regretting as I do to differ from any of my friends, I confess I cannot bring myself to the conclusion that the time has arrived at which it is either wise, politic, or even legitimate, to recognise the South. I do not think the circumstances have yet occurred under which a revolting State is entitled to recognition from neutral Powers. The first of those circumstances is where, although the State from which a secession has taken place has not acquiesced in it as a *fait accompli*, yet the war is, in point of fact, at an end, and no struggle is going on for the restoration of the original dominion. That was the case when the States of South America revolted from Spain. For a long period before those States were recognised by the Powers, Spain had ceased to take any active steps to keep them under her rule. Although, therefore, Spain did not recognise their independence, we did recognise it, because the struggle was in fact at an end. Another set of circumstances under which recognition is legitimate is where other nations, having in the interests of humanity determined that a desolating warfare shall no longer be continued, in order to put an end to it agree to recognise the revolting party. But in that case recognition is always followed by something further, for it means nothing unless the Powers who join in it are ready to support by force of arms the claims of the State which they recognise. That was the case with regard to Belgium in its separation from Holland; such was the case with regard to Greece in its separation from Turkey. No doubt there are occasions when the horrors of war and the danger to the public interests of the world from the prolongation of a contest, are so great that it is essential it should be terminated by other nations intervening to recognise the Secessionists; but when such a case does occur, they must be prepared to go a step further, and to maintain by force the independence which they have acknowledged. I cannot but think that this consideration has not been sufficiently weighed by those who are anxious for the recognition of the South. My conviction, which has been strengthened by everything which has occurred from the first outbreak of the civil war, is that the restoration of the Union as it formerly existed is the one conclusion which is absolutely impossible. I believe that at first the feelings of this country were strongly in favour of the North, and that it was not generally supposed that the North would have any great difficulty in overrunning and subduing the South. But even at that early period it was perceived, that if the North were to succeed in subjugating the South, its difficulties would only commence; because it was out of the question that where such mutual animosity existed, and such injuries had been inflicted on one side and on the other, any cordial reconcilement or union could take place between them. If it was so a year or two ago, how much stronger must this conviction have grown when day by day the struggle becomes more desperate, when it is more apparent that neither party can obtain a signal and decisive advantage over the other, the one on the defensive being always the one which has practically the best of it; and when it is obvious that the continuance of the war is the continuance of the most dreadful slaughter and the most harrowing carnage, accompanied by increasing bitterness of feeling, and accompanied, if we may believe reports, by aggravating atrocities on both sides, which add unusual horrors to those by which war, and especially a civil war, is attended? Under these circumstances, I declare my firm conviction that there is no possibility of re-establishing the Union between the North and the South. At the same time, recollect, the struggle is still going on. The whole sea-board of the South is in the possession of the North, and large Federal armies are in Southern territory, where they obtain occasional advantages. That being the case, it is impossible to say that the struggle has practically ceased, so as to admit of our recognition, even if we did not mean to go further; and I do not believe that those who are the most anxious for recognition under existing circumstances are prepared for an interference by force of arms, and insisting on laying down the terms on which a separation is to take place. Therefore, I own I approve, on the whole, of the course pursued by Her Majesty's Government on this subject, and of that entire neutrality which, I believe, they have practically carried out to the utmost of their power, in accordance with their professions. There is another point. No man with ordinary sentiments of humanity can fail earnestly to desire that the desolating warfare in America should be brought to a close, and I am quite certain that the present Government or any other which might be in power in this country, would eagerly embrace the first opportunity that had a fair prospect of success of tendering such good offices as might lead to a cessation of hostilities. At the present moment I do not, I am sorry to say, see any prospect of such a result, and I fear that the war must go on until both of the combatants simultaneously see the necessity of coming to some settlement.

My Lords, there is another aspect in which this war has serious bearings—on the industry, happiness, and prosperity of England. The cessation of the cotton supply could not happen without causing much distress; but I need not say that both parties in America, and more particularly the South—and, indeed, some parties in this country—have exaggerated the importance of the suspension of the cotton trade to this country; and it is not undesirable that this exaggerated impression should be corrected, for it goes to the extent that it is an absolute necessity for us to submit to any terms rather than that our great industry should be interfered with. There is no doubt that the distress in the cotton districts, if not altogether caused by, has been greatly aggravated by the war in the United States. The sudden cutting-off of the raw material of a manufacture which had risen to such an unparalleled height must produce great distress and disastrous consequences to those who are engaged in that particular manufacture. But I regret to say I cannot see that the sudden cessation of the war in America would of itself restore the prosperity of this important industry, or even replace on a satisfactory footing a great portion of the population whose sufferings have excited so much sympathy and compassion. And, in speaking of this subject, I cannot but express my thanks to the noble Earl who seconded the Address (the Earl of Granard) for the manner in which he has spoken of the very small service which it was in my power personally to render towards the relief of destitution in the manufacturing districts. Connected as I am with that county and with that manufacturing district, it has fallen to my lot to take a considerable share in the distribution of those funds which have been so liberally contributed by all classes of Her Majesty's subjects. But there are many whose exertions in the same cause have been equal to and greater than mine. There are men who had far less time to spare, and yet who devoted a much larger share of attention to the relief of that distress than I have. Nothing can be more gratifying than the conduct of the immediate sufferers; nothing more gratifying to observe than the way in which men in business, engaged in transactions on which it was necessary for them to bestow constant attention, gave hours and days and weeks and months of their time gratuitously and without the slightest recompense, except the consciousness of the good they were doing, to the alleviation of the distress around them. I am convinced that the sufferings at present endured by the manufacturing population have led to another and most valuable result. It has brought forth a great amount of kindly feeling among different classes. It has enabled the rich and poor to understand each other better than before; and has taught them to remember their mutual dependence on one another. It has led the rich to think of the duties they owe to the poor, and it has shown to the poor that the rich are not unmindful of them. It is impossible to speak in terms of too high praise of the manner in which that large population has borne its suffering and distress. More than once—and it speaks well for the confidence and kindly feeling that prevail in that population—when complimented on their endurance and patience, they have answered simply, "We knew you would not let us starve." The liberality of the country has been unbounded, and it has proceeded from every class of the community. The feeling of national and kindly relationship has been warmly and cordially responded to from Her Majesty's widely extended colonial possessions, and I rejoiced to hear the noble Earl who seconded the Address take notice—a notice which I think might have been gracefully taken in Her Majesty's Speech—of the large and spontaneous contributions, which, in the midst of their own difficulties, have been offered to our manufacturing population by the inhabitants of the Northern States of America. Large, however, as has been the amount subscribed, anxious as have been the labours of the Relief Committee, careful as has been the distribution of the bounty, I fear that I cannot say there is at present any reason for the cessation of the public liberality. Large as the funds are, and no doubt they are sufficient to guard the population for some time to come against famine, and that disease which springs from destitution, I cannot look forward to the termination of the existing distress within a limited period. Indeed, for a considerable time it is impossible that the cotton manufacturing interest can fail to be in deep distress. I am far from desiring to utter a word which should in the slightest take away from the merit of the labouring classes on account of the manner in which they have borne the sufferings that have fallen on them; but, undoubtedly, one of the consequences of the abundant liberality of the public in relieving the distress has been that, not the industrious workman—not the highly-paid labourer—not the man who had enjoyed comparative prosperity—but that those who were on the verge of pauperism, or were paupers themselves, have been in receipt of fully as good or a better supply of the necessaries of life than they were accustomed to receive under ordinary circumstances. This is a point which will require the most ample consideration and careful watching, when the distress shall be mitigated, as it is calculated to raise questions of most serious embarrassment. I will not trouble your Lordships with them at present, but it will be satisfactory to your Lordships to know that they relate to the effects of a too liberal distribution of relief among the lowest classes. At the same time, your Lordships will see that it was impossible to make a distinction in the distribution of relief between those who had been earning 30*s.*, 35*s.*, and 40*s.* a week as wages and those who had only earned 7*s.* or 8*s.*; and, consequently, by the higher class of workmen the distress will be felt the most severely, while by the lowest it will scarcely be felt at all. There is no danger of demoralizing or of destroying the self-dependence of the higher class of workmen, for the moderate contributions they receive for the support of life and health without work would be but a moderate substitute for the large amount of comfort and comparative affluence which they derive from honest industry; but the danger exists in reference to the lower class now receiving assistance from public funds when they come to fall back on the ordinary state of things and their ordinary resources. I say I think there is a certainty that the period of distress in the cotton districts has not nearly reached its close. It is undoubtedly satisfactory, as noticed in the Royal Speech, that there is a slight diminution in the number of those receiving relief, either from parochial funds or other sources; but I must express my fear that that diminution is but temporary and occasional, and that there must be for a considerable time a fluctuation in the amount of diminution. Let us now see what is the state of the markets. According to the present state of things, which no doubt may arise from the American war, the price of cotton goods at Manchester is not sufficient to pay for the labour of working up the raw cotton; and it follows that, notwithstanding the great diminution in our Indian and Chinese trade, cotton goods at the present moment in the markets of the East, in India and China, are selling at a rate 25 per cent lower than in Manchester. I was assured the other day by one of the most intelligent merchants that, according to present calculation, though it may be difficult to ascertain the stocks in the interior of China or India, there is reason to apprehend that not a single pound of cotton goods could be sent to India or China in the next year with a chance of obtaining a remunerating price. From a calculation of what cotton is likely to come in, it appeared that though it would be considerably less than had been imported in more favourable times, yet the probable amount would be sufficient to supply effectively the demand of the whole world, with the exception of India and China; but it would not enable the workman to obtain more than three days' employment in the week, with a loss of wages for this year of £9,000,000, and for the next year of £6,000,000. I trust your Lordships will pardon me for going into these details, but I have taken anxious pains to ascertain the facts, and they are of importance. The state of the market at present is such that, according to the price of raw cotton at Liverpool, it will not pay the manufacturers at Manchester to work it up. The market is in a most sensitive condition. There is a vast amount of capital invested in machinery, and employers are waiting eagerly to seize the first opportunity of the turning of the scale, and making the slightest amount of profit. They are watching the Liverpool market with the deepest anxiety, and the moment there may be a fall of a 1*d.* or 2*d.* per pound, there are, notwithstanding the glut in the markets, numbers of persons ready to rush in and make use of the opportunity of working up the cotton. The result is that there is an increase in the quantity of goods in the market, there is a constant alternation between the price at which a small profit may be realized and that on which there would be a loss; and the consequence is that the small capitalists must go to the ground; they could not support themselves or maintain their workmen by working three days in the week; and the large capitalists will absorb the remainder of the business, and at the least one-half of the cotton operatives will be out of work. In this state of things I wish I could say that in the next two or three years I see a prospect of the cotton manufacture coming up, I do not say to the point which it reached in 1860 and 1861—for I do not know whether that would be desirable—but to an ordinary degree of prosperity. I am quite certain that for a considerable period there must be great depression in that branch of manufacture; and I hope the public will not be led away by the notion that any slight diminution of distress which may be felt at the present time can be relied on as being permanent, but that they will be prepared, if necessary, for continued exertions to carry this large and important population through the fearful crisis.

My Lords, I have perhaps spoken at greater length than is desirable on a subject connected with one question of foreign policy. There are other topics of considerable importance adverted to in the Royal Speech. Papers relative to Italy, Greece, and Denmark are promised to be laid before the House. Unfortunately, we have already had a partial publication of papers on the subject of each of these three countries, and I confess that I am unable to offer my congratulations to the Secretary for Foreign Affairs on the brilliant success which has attended his diplomatic achievements, with respect to which he seems somewhat ambitious. There have been made known some despatches from the Secretary of State for Foreign Affairs with respect to Denmark which I looked at with a little astonishment; because I recollected what were the principles and declarations on former occasions of the noble Earl the Foreign Secretary, and of the noble Viscount at the head of the Government; and I confess I was at a loss to reconcile those principles and declarations with the recommendations and advice contained in these despatches. I read the correspondence, I confess, with some feeling of humiliation, for I found among it four documents, and I entertained serious doubts which of the four reflected the greatest amount of ridicule on British diplomacy. The first despatch is one from the noble Earl the Foreign Secretary, originating quite gratuitously a discussion and tendering advice which certainly was not asked for, and, equally certainly, was not taken. The next despatch is an able and statesman-like reply given by the Danish Minister to the proposition of the noble Earl. The third despatch—if, indeed, it be a genuine one—is addressed by the Swedish Government to the British Government, thanking the noble Earl for communicating information, which Sweden already knew, respecting the purport of the first; and the fourth, about the genuineness of which there is no doubt, is a despatch addressed by a certain Count Elsinore to a certain Count Russell. I must say, that if I had to determine which of these four despatches is most successful in casting ridicule upon our diplomacy, I should have to give the supremacy to the original despatch of the noble Earl the Foreign Secretary. The noble Earl and myself once had the happiness to be colleagues of one of the most agreeable, most able, and shrewdest of men, the late Lord Melbourne, who also possessed a great deal of ordinary common sense. There was one piece of advice which he was inculcating upon his colleagues; but by which I am afraid the noble Earl has not profited. When any matter arose which involved considerable difficulty and embarrassment, and which it was not known how to dispose of at the moment, Lord Melbourne's favourite receipt was, "Can't you let it alone?" I am sure the noble Earl must recollect as well as I do that saying of the noble Lord, "Can't you let it alone? It will do very well if you only let it alone." But that is the very thing which, with all his experience, and with the example of Lord Melbourne before him, the noble Earl cannot do. He cannot let it alone. We know that the courage and confidence of the noble Earl, in undertaking to surmount any possible difficulty, have been proverbial since the days of Sidney Smith. If there be any difficulty of any kind to be settled—if there is any Constitution to be reorganized at once—if there is any embarrassing question which has occupied the attention of statesmen for years, almost for centuries, the noble Earl is quite ready at a minute's notice. His language always is, "Come, I will settle it at once; I will tell you how to do it;" and then, without even the preliminary apology which used to be given by a celebrated character—"I hope I don't intrude"—he offers his advice and assistance to any nation that he may suppose to stand in need of them. That is the case with respect to Denmark; and I hope, my Lords, we shall see somewhat more successful results from the course taken by the noble Earl than those which the Correspondence already published leads me to anticipate. But let me say, apart from all questions as to whether the advice tendered by the noble Earl was good or bad—even supposing it was as good as I think, and as the Danish Government thought it was bad, for they thought it an interference with the prerogatives of the monarchy of Denmark—could not the noble Earl, if he thought it advisable to interfere in the question, have interfered by privately communicating with the Danish Minister, instead of adopting that broad line of interference which has materially aggravated the difficulty, and enabled Russia and Prussia to put a pressure on Denmark, founded upon a principle first enunciated by the Foreign Secretary of this country?

Well, my Lords, if the intervention of

the noble Earl in the affairs of Denmark has not been very successful, let us turn to his intervention in Italy. I hope the Italian papers promised in the Speech from the Throne will give us a graphic account of his negotiations with the Pope. If the noble Earl thought that advice ought to be tendered to the Pope, did he think that he was the person from whom the Holy Father would most readily take it? Did he think that in a matter concerning the affairs of Italy he would overcome that reluctance which the Holy Father has shown to permit of interference from other Powers? And what was the moment chosen for this advice and interference? Mr. Odo Russell has an audience of the Pope, in which some general observation is made by His Holiness as to the possibility of his being obliged to ask the hospitality of England. Upon this Mr. Russell is instructed to make a formal offer of a ship, accompanied with an advice that the Pope should take an early opportunity of leaving Rome and accepting an asylum in Malta. The time chosen by the noble Earl for giving this advice was that at which the Emperor Napoleon was telling the Pope, that if he remained at Rome, he would maintain him there with all the power of his potection. Thus while the noble Earl was intervening to induce the Pope to go away, the French Emperor was intervening to keep him where he was. Such is the French alliance, this is the cordiality, the unity, the harmony, with which France and England are acting in the affairs of Italy. But, my Lords, supposing that the advice of the noble Earl had been accepted, would it have been practicable that the Pope should have been maintained by a Protestant Government in a possession where the majority of the people are Roman Catholics? If the noble Earl had sought to find out a position presenting the greatest amount of embarrassment and complication, I cannot conceive one which would come up to such a standard so completely as that of the Pope at Malta under the protection of the British Government. [*A laugh.*] My Lords, there may be something amusing in the contemplation of such a state of things; but really it is one rather for grave consideration than for laughter.

My Lords, there is another question of very serious importance referred to in the Speech from the Throne. I mean that of the constitution of the new kingdom of Greece and the proposed cession of the Ionian Islands. With respect to the first branch of this subject, I am at a loss to understand the course pursued by the noble Earl and Her Majesty's Government. When the revolution took place, it is only fair to the people of Greece to bear testimony to their good conduct and moderation. In all the proceedings consequent on that movement I do not believe there was a drop of blood shed. Nay more, I believe there was not any violence, or even an intemperate word. And nothing could have been more creditable to the people than the unanimity with which they expressed their wish to be governed by an illustrious Prince, a member of the Royal Family of this country. I think it was a well-earned compliment paid to the Sovereign of this great country, and to the constitutional principles on which her rule is conducted, that the Greeks should in the first instance have expressed a unanimous wish to be presided over by one of the family of that Sovereign. It is, however, stated in the Speech from the Throne that "the diplomatic engagements of Her Majesty's Crown together with other weighty considerations, have prevented Her Majesty from yielding to the general wish of the Greek nation." Those "other weighty considerations" seem to have had their effect with other Royal personages, besides Her Majesty and Her Majesty's Family; for it does not appear that up to this time any Sovereign has been found to accept the throne of Greece. Up to a recent period it had been hoped that arrangements might have been come to which would have given the Greeks a Sovereign; but the latest information on that subject leads us to the supposition that those negotiations have come to an end without the desired object having been effected. However, be that as it may, I want to know why, if those several reasons referred to in the Royal Speech for declining the throne for Prince Alfred existed from the first, a considerable time was allowed to elapse without any contradiction from this country that Prince Alfred was a candidate for their crown? Why was it that instructions were sent out to the British Minister at Athens not to interfere with the progress of events? Why was it that encouragement was given to the people of Greece to persevere in the expressal of their wish? Why was it that hopes were held out by the Greek Minister in this country, after a conference which he had with the noble Earl, that the wishes of the people would be acceded to? Her Majesty's Government are in this dilemma —either they determined from the first that the offer should not be accepted, in which case they acted most ungenerously and unfairly towards a people struggling for freedom; or, at first, they intended that it should be accepted, but have been interfered with and driven back in a not very dignified manner by the strong language of Russia and France. On one horn or other of this dilemma I leave him.

My Lords, another most serious question is the proposed cession of the Ionian Islands. I must look at this question, not only as it affects the Ionian Islands themselves, not only as it affects Greece, but as it affects the interests of this country and the interests of Europe. I am not going to say that Her Majesty's Government could not constitutionally, even without the consent of Parliament, give up the protectorate of this country over those Islands. I do not speak of them as a part of Her Majesty's dominions, so that such a step should be regarded in the light of a dismemberment of the Empire; but I say that they were confided to Great Britain after a consideration of serious questions of European policy, and after grave deliberation on the part of this and other Powers. It had been a matter of much anxiety to Great Britain to obtain those Islands and to retain that possession, and a position such as they afford is not a matter of such indifference to the power of this country as some persons have represented it to be. Observe what was the position of the case previous to 1814. Previously to 1814 most of those Islands had been captured by Great Britain. Corfu had not been in our possession; but for two years before it had been blockaded by the fleets of Great Britain, though it was only after the fall of Napoleon that the French Government surrendered that island to us. So that it was not at that time lightly thought of. From that moment it has been held by Great Britain. At a time when this country was at war, military and naval officers all concurred in the opinion as to the importance of holding and maintaining the Ionian Islands for the purposes of England. One of the latter (Lord Collingwood) said he regarded the possession of Corfu as equal to the addition of two frigates to his fleet. Competent authorities on the subject have stated their opinions as to the importance of our protectorate of those Islands in respect to our position in the Mediterranean and the Adriatic, and on account of their geographical position in respect of the route to India *viâ* Egypt. It is not therefore a place to be regarded as worthy of little consideration. I do not mean to say that there may not be some consideration of expenditure connected with this Protectorate, and that it may not to some extent be an embarrassment to have to protect and watch over the most difficult set of men in the world to protect —Ionians travelling in foreign countries; but I do say that positions of such great importance ought not to be surrendered so lightly and so hastily as Her Majesty's Government seem to think they may be, and that considerations of inconvenience and expense ought not to interfere with the holding of positions of great importance to this country. I think I may appeal to the illustrious Duke on the cross benches (the Duke of Cambridge) to corroborate me when I say that during the Crimean war great advantage was felt from the facility those Islands afforded for supplying troops of the line, while we were enabled to garrison them with militia. They afford us a rendezvous for our fleets and give us one of the safest and best harbours in the Mediterranean, while they might prove a source of great embarrassment to us if they were in possession of a naval Power hostile to this country. I am not arguing that under no circumstances that could possibly occur would it be desirable to surrender the Ionian Islands, though I greatly doubt whether it will ever be for the interest of England to give up that nominal Protectorate, which constitutes the Ionian Islands in reality though not in form a British possession. But of this I am sure, that the utmost care and attention ought to be devoted to the subject before Her Majesty's Government come to any conclusion upon a matter of such grave importance. Last year I think the noble Earl, in the House of Commons, when speaking of the great interests which England had in the Adriatic, was interrupted by an hon. Member, who said, "What great interests?" To which the noble Earl replied, "I should have thought the harbour of Corfu afforded a sufficient answer to such a question." Again, it was only last year that the noble Duke the Secretary for the Colonies (the Duke of Newcastle) disclaimed in the most emphatic manner any desire and any intention on the part of Her Majesty's Government to surrender these Islands, contending that they were a solemn trust confided to us by Europe, and that we had not the slightest idea of parting with them. But to whom do you part with them? You propose quite gratuitously to cede these Islands to a Government which is not yet formed—to a State which is yet in the throes of revolution. You propose to give them to this State, unasked for, and, as I will presently show you, in direct opposition and contradiction to the principles which have been laid down by the noble Earl himself as those which should regulate the policy of this country. My Lords, in a correspondence which, somewhat gratuitously again, the noble Earl carried on in the course of last year with Prince Gortschakoff, he undertook to lay down certain principles which should regulate the policy of this country in the East, and concluded in terms to which Prince Gortschakoff cordially assented, expressing his great satisfaction at hearing such sentiments from the noble Earl. I have not the exact words by me, but the noble Earl insisted then that there should be a total abandonment by Greece of *grandes idées*, that the country should abstain from acts of aggression upon the territory of her neighbours, and should keep down the turbulent revolutionary spirit of insurrection which threatened alike all the thrones of Europe. The noble Earl went on to enlarge upon the necessity of preventing Greece from becoming a dangerous enemy of Turkey; and that was the guiding principle he laid down. Well, now, how does he propose to carry out that principle? He proposes to cede the Ionian Islands to Greece, but insists that the form of government there should be monarchical. I presume he means that there shall exist in that country a constitutional monarchy. I presume he means a monarchy in which Parliament shall exercise some control over foreign as well as over domestic policy. Admitting the necessity of procuring the sanction of the Great Powers, it is now proposed that when a monarchy is established in Greece, based on these principles—the abandonment of *grandes idées*, the non-extension of territory, and non-aggression as regards Turkey—the Great Powers shall be asked to sanction the surrender to that monarchy of the Ionian Islands. Now, that seems to me to be putting off the surrender, *ad Græcas Kalendas*. How soon is the noble Earl to be satisfied, not that a constitutional monarchy is established in Greece, but that the Government and Legislature there are sufficiently able, sufficiently willing, and sufficiently determined to discourage that dangerous spirit of aggression against which the noble Earl protests in such strong terms? Then, again, how does the noble Earl assist them to keep down this dangerous spirit? Why, by joining with them a number of Islands, at present under the English Protectorate, the inhabitants of which have been the firmest agitators of that very aggression upon Turkey which the noble Earl says will form an absolute and entire bar to our surrender of these Islands. In proof of this, it is not necessary that I should go further back than to the address of thanks presented by the inhabitants on the first intimation to them of Her Majesty's intention to cede the Islands to Greece. In this address, the people declare their peculiar gratitude, because in that cession they sse the future support of England during those struggles which must hereafter take place for the extension of Christianity and of Christian civilization —in other words, for their assaults upon the territories of Turkey. And so the noble Earl assists this constitutional Power to resist the spirit of aggression among its people by uniting with it, as an additional element, a nation which is as one man in favour of that very principle of aggression. The noble Earl will, perhaps, tell me "That is quite true; but our cession of the Ionian Islands is entirely conditional on our terms being complied with." Well, then, I say, could the noble Earl have devised a more ingenious method of rendering the government of that country difficult and impossible than by thus opposing the attainment of the very object upon which they are so obstinately bent? It appears to me that the conditional promise of ceding these Islands to a Government not yet formed, and of whose future policy it is impossible to pronounce any opinion—to a Power utterly incapable, moreover, of coping with the piracy which used to infest those seas, but which has been systematically and successfully kept down by Great Britain—I say the cession of so important a position to such a Government is one of the greatest mistakes which within my memory have been committed by an English Government. My Lords, I do not despair even now that the country will refuse its assent to this most ill-judged proposition. Nay, from the terms used in the Address, in reply to the Speech from the Throne, I think there is some little hesitation on the part of the Government themselves—some little feeling that, after all, the arrangement may utterly fail, and that unexpected circumstances will concur with diplomatic liabilities in preventing the noble Earl from carrying out this measure in favour of the Islands, if it really be in their favour. The noble Duke opposite, in one of his speeches, expressed what I thought was a well-founded belief, that if the good sense and intelligence of the inhabitants could be fairly tested, especially at Corfu, it would be strongly pronounced against the proposed cession and against the popular clamour for that cession which undoubtedly exists. One word more upon this point before I sit down. Look at the position of Corfu, the most important from its harbour and fortifications—as to the efficiency of which, however, I do not say much, and which probably cost more than they ought to have cost. What is the position of Corfu with reference to any part of Greece? It lies eighty miles to the north of the nearest point of the boundary of Greece, but it is within one mile of the coast of Thessaly, a part of the Turkish dominions, which affords favourable opportunities for constant, I will not say invasions—but for constant broils, which will infallibly lead to struggles, in which Greece may get the worst of it, and to some new arrangements, in which Corfu may possibly fall into the hands of some other Power, that Power being neither Greece nor Turkey. On all these grounds I implore the Government to consider the gravity and importance of the step they are about to take. I earnestly conjure Parliament and the country to interpose, by the pressure of public opinion, against an act which is one of the most suicidal and imprudent I ever recollect.

My Lords, upon some occasions we have undoubtedly had to complain that the Government have made great professions for the future, and great promises, which ultimately were not fulfilled. Certainly that is not a complaint which can be justly made at present. It is true that the Seconder of the Address undertook to assure us that one of the Bills which was about to be brought in, in pursuance of Her Majesty's recommendations, was to carry out the views of the Commission recently appointed—and which I think up to this time has had one or two sittings—upon the subject of convict discipline. But I think the noble Earl in this was speaking a little out of the four corners of his brief. Of course, if the noble Earl has had confidential communications with the Government on this point, it is not for me to express doubts of his accuracy; but, subject to this assurance, the Government have not thrown great light upon the measures which they intend to propose during the present Session; so that we run no risk of disappointment, and no blame can hereafter be cast upon them for having fallen short of their professions. I suppose, from the absence of any such promises, we may conclude that Her Majesty's Ministers will be satisfied to be humbly useful; that they will bring forward no very ambitious measures, no very sweeping alterations of the Constitution; that they will not make, or even sanction, any violent attacks upon the Church of England; that they will go calmly and quietly along, improving turnpike-roads and amending the Bankruptcy Bill which they passed the year before last, and that we shall pass altogether a quiet, useful, humdrum Session.

Before sitting down, your Lordships will, I am sure, forgive me for referring to a topic which is not indeed mentioned in the Speech, but which was touched on by one of the noble Earls who have just addressed the House—I mean the public and personal loss which we have all sustained by the death of the venerable and respected Marquess. The noble Earl opposite was a colleague of mine in the Government of which the venerable Marquess was a Member; and I am sure he will feel deeply with me the uniform patience, forbearance, good judgment, and good temper of the venerable Marquess with respect to every question that came before us. Your Lordships had the opportunity of seeing the conduct of the venerable Marquess for several years as the leader of the Government in this House, and some years ago, upon his partial retirement from public life, a most unanimous testimony was afforded of the esteem, respect, love, and affection with which he was regarded both by the supporters of that Government and by the House at large. At a later period, when the venerable Marquess retired from taking any active part in public affairs, he has attended this House less frequently; but in the more private life to which he has confined himself, I am sure that he has not in any degree forfeited the warm affection of his friends, and I am equally certain that he passes from this world honoured and respected, in a good old age, without leaving behind him a single enemy.

EARL RUSSELL:—My Lords, your Lordships will not have been surprised that the greater part of the noble Earl's speech has been taken up with foreign affairs; and especially with the affairs of Greece. For these I am responsible, and those parts of his speech I shall attempt to answer. But first I must touch upon those topics in the noble Earl's speech in respect of which I have the happiness to concur with the noble Earl. And there is no topic more grateful than the first, where we congratulate Her Majesty upon the auspicious marriage that is about to take place. I think we must consider that in wishing happiness to the youthful and Royal pair, we are wishing for the advancement of our own interests, because their happiness may greatly tend to form the happiness of the country at large. Passing from that topic, I come to a question upon which the noble Earl spoke at considerable length; I mean the United States. Upon that topic, also, I am glad to agree, for the most part, in the observations of the noble Earl. I believe that Her Majesty's Government has exercised a wise discretion in not interfering, or rather—for it is not interfering—in not joining in giving advice, as the Emperor of the French proposed, to one of the two belligerents. I think we were right, for this reason—that there may come a time when the belligerents themselves, exhausted by the struggle, may wish to refer to some foreign Power to assist them in making that peace which it is so desirable to establish. As to the question of recognition, the noble Earl has rightly remarked, that there are two kinds of recognition. As examples of the first kind of intervention, we have in old times the cases of Holland and Portugal, and in modern times the cases of Belgium and Greece; but no one in this country, I believe, wishes for a forcible intervention on behalf of either of the parties in this case. The cases of Holland, Portugal, Belgium, and Greece were small matters compared with the vast and dreadful struggle in which we should have to interfere if we attempted to decide the claims of either party to the conflict now raging in America. But there is another kind of recognition, and that is a recognition when it is obvious that one of the parties is exhausted by the war, when the attempt to make the other party submit to his authority has failed, and when therefore peace is anxiously wished. We are not arrived at that point yet, because the struggle now going on in different parts of the United States and of the Southern States is kept up, I will not say with undiminished, but with increased power and rancour, and upon a vaster scale. Therefore nothing could be more unwise at present than to have recourse to the power of recognition. There is one thing, however, which I think may be the result of the struggle, and which to my mind would be a great calamity—that is, the subjugation of the South by the North. If it were possible that the Union could be reformed, if the old feelings of affection and attachment towards it could be revived in the South, I for one would be glad to see the Union restored. If, on the other hand, the North were to feel that separation was finally decreed by the events of the war, I should be glad to see peace established upon those terms. But there may be, I say, one end of the war that would prove a calamity to the United States and to the world—and especially calamitous to the negro race in those countries—and that would be the subjugation of the South by the North. One of the first consequences of such a subjugation must be that the North must keep up a large army, must renounce all its former policy, and must put down by force free discussion and a free press in the South. That would be a dangerous thing. But beside this, would not anarchy prevail in the South? Would not the whole state of society and of labour in the South be disorganized, perhaps for a century to come? I hope, whatever may be the issue of this contest, that such may not be the results. I trust that we shall see at the close of this struggle either one great republic or two great republics in the full enjoyment of freedom and all the advantages of a great and independent Power. For my part, I own that before the contest began I rejoiced in seeing the progress of the United States, and was proud to witness the prosperity of a people descended from our own ancestors, and having the same laws and the same love of personal liberty as ourselves. It was, I think, a spectacle at which every Englishman must rejoice, and I should certainly lament if the end of this struggle did not leave the people in those States in the full enjoyment of the benefits and privileges which dignify and adorn mankind.

The noble Earl next referred to a subject which is indeed a very painful one, and that is the distress in the north. Far be it from me to attempt to follow him into a subject with which he is so much better acquainted than I am; but there is one point upon which he naturally did not dwell in the manner which I think it deserved, and that is the personal contribution which he has himself made of time and labour, to say nothing of munificent contribution, to alleviate the distress in Lancashire. It may be said that others have bestowed more time and more continuous labour to that object; but, however that may be, there was one thing desired which the noble Earl has supplied. It was to be desired that, whatever differences may at other times, and within the last twenty years, have existed between the manufacturing body of Lancashire and the great landed interest of the country, those differences and divisions should be effaced by acts which would show the feelings of charity, of good feeling and goodwill, which the landed interest entertain towards those who were engaged in manufactures, and that the great landed proprietors should be bound together with the manufacturers and the great body of the working classes in one work of benevolence and charity. The example of no man could have contributed so powerfully to the removal of those distinctions as that given by the noble Earl himself, whose munificence to the great body of the working men and their families in the manufacturing districts has been unexampled, and certainly calls for a great tribute of gratitude on the part of the country.

Having now, I am afraid, exhausted all the topics upon which I am so happy as to agree with the noble Earl, I come to those upon which I differ from him, and in respect of which I must take exception to his remarks. He seems to think that I am disposed to meddle in everything. Now, oddly enough, it happens that, with regard to the United States, when we were asked to give advice in conjunction with the French Government, the Government refused to give any advice whatever. Then, as to Mexico, where our co-operation, in the shape of intervention, was desired and invited, we declined to continue that co-operation, and are entirely free from any charge of interference or intervention in that country. These certainly cannot be considered minor affairs. I may also say, although it is a minor subject, but still connected with the great questions of the East, that during the fights and contests that took place last summer in Montenegro—although advice was given by France, by Russia, by Austria, and by Prussia—almost the only Government in Europe that gave no advice was the Government of this country. But the noble Earl speaks of advice which we gave to Denmark and to the Pope of Rome. Of the nature of that advice I will speak presently; but, if I do not mistake, the noble Earl opposite once tendered advice that was not very fortunate to Denmark and Russia; and, if I am not misinformed, he gave some advice during the war in 1859 to Italy. Every one who knew anything of the Italians in 1859 knew well that they had made up their minds to this course of policy—that if it should happen that in the event of a war their Sovereigns should take the popular side and engage in the war against Austria, those princes should retain their thrones, but otherwise they were determined to get rid of their Sovereigns. It appears, however, that advice was given by the British Government to the Grand Duke of Tuscany to resist the popular power, and to the King of Naples to remain neutral. The consequence of following that advice was that both princes lost their thrones. The Grand Duke of Tuscany, instead of taking the popular side in the war between Austria and Sardinia, left his territories and went straight to the Austrian head-quarters. The King of Naples preserved neutrality, but he was driven from his country, and lost his throne. Now, it might not be intervention—it might not be interference—but certainly the advice of the noble Earl had in that instance an effect most unfortunate for those to whom it was tendered. The noble Earl seems to think the advice I gave to the King of Denmark was given without any provocation whatever. I must say the noble Earl in that part of his speech showed a total ignorance of what has been passing of late years. I do not blame him for being ignorant of the facts, but certainly he has made many assertions and assumptions on that ignorance which are not easily justifiable. It did so happen that in 1861 the German Powers had almost determined on an "execution" in Holstein. I pointed out that an execution in Holstein would lead the Germans to the confines of Schleswig. The boundary had never been settled, and I thought the occupation by German troops of a boundary so unsettled, especially with the excitement which then prevailed on both sides, was likely to bring on war between Denmark and Germany, and that that war might extend to other Powers, and so perhaps bring on a European conflict. Now, it may be a great fault, I confess, in one holding the Foreign Office in troubled times, but I have felt exceedingly sensitive as to those circumstances that might bring about a rupture of the general peace; and when I have seen appearances of an approaching storm, I have endeavoured, it may be unsuccessfully—perhaps too frequently—to prevent any chance of war by friendly advice given to one party or the other. My belief is that the advice which Her Majesty's Government gave at that time was conducive to the peace of Europe, because it was settled at that time—in 1861—that, instead of an "execution," which, if persisted in, would have been the commencement of war, Germany and Denmark should negotiate together and endeavour to come to an agreement on points on which they differed. Towards the end of 1862, when these negotiations had gone on without conflict of arms, but with very bitter discussions on one side and the other, it appeared to me that there was no chance of an amicable termination of that correspondence, and I proposed what I thought perfectly compatible with the independence and integrity of Denmark. It so happened that they did not like the plan; they did not agree to it. My conviction is, if they had agreed to it, they would have been in a better and safer position than they are at present, keeping up so vexatious a quarrel, in which the feelings of Germans, though not at present very active, may at any time be roused, and an immense body of Germans may be directed to solve the question. Then the noble Earl finds great fault with the advice he seems to think was very gratuitously given to the Pope. It was not exactly what the noble Earl has read. What happened was this:—Mr. Russell, being in Rome in the beginning of the summer, wished to return home before the unhealthy season. Just before he was coming away he received an intimation that the Pope wished to see him the next day, appointing the hour. Upon the next day Mr. Russell had the honour of an audience with the Pope. The Pope spoke to him very much of Garibaldi being in Sicily; and appearing to have considerable apprehensions as to the state of Italy, he asked the question whether, if he sought an asylum in England, he might rely on our hospitality? To this Mr. Russell returned a general answer, saying that our hospitality was well known, and that we gave asylum to all who sought it. Before Mr. Russell left, the Pope again referred to the subject, adding, "Perhaps I may one day seek the hospitality of England." Now, the noble Earl seems very much surprised; but, for my part, I think nothing was so natural, because it was obvious that if the Pope went to France, Austria, Spain, or any other Catholic country, in the first place there would be great jealousies among other Catholic Powers, and in the next place there is no Catholic Power that would not demand from the Pope some privileges which would excite the jealousies of the rest; whereas if he went to any of Her Majesty's dominions, he might be quite sure that we would ask nothing of him from the beginning of the year to the end of it; we should not interfere with his perfect freedom, and he would thereby be more secure, more at liberty, than in almost any Catholic country. Certain it is, that appeared to be the impression of the Pope. After that I certainly wrote a despatch recommending that course, because I thought it would relieve the Pope from the painful position in which he now stands—a position in which he, an Italian Prince, is opposed to the almost unanimous wish of the rest of Italy, and at the same time feels himself conscientiously bound to defend all the ancient powers and retain all the ancient territories belonging to the Holy See. I must say, however much I may wish the independence of Italy, I cannot help entertaining the greatest respect for the conscientious feelings of the Pope, and regret that he should be exposed to trials to which he cannot conscientiously yield, but which must be painful to sustain, since nearly all his countrymen desire a different course. Well, I wrote that despatch; it was taken in very good part at Rome; Cardinal Antonelli thanked the British Government for the offer, and the Pope afterwards personally thanked Mr.

Russell for the offer made on the part of the British Government; and the report made by Mr. Russell was, that it had produced the best feeling among those who surround the Pope, and who had hitherto considered us personally hostile to him.

"Non obtusa adeo gestamus pectora Pœni."

While I could do so without sacrificing the opinions of the Government with respect to the independence of Italy, I was glad to have given to that venerable man the comfortable assurance that he might resort to the hospitality of England.

The noble Earl's next remarks had reference to the subject of Greece. The noble Earl appears to think that we have had to submit to very strong language from France and Russia, in order to give up the candidature, as it is called, of Prince Alfred. Nothing can be further from the truth. The fact is, that we were the first to propose a joint declaration that none of the Princes belonging to any of the protecting Powers should be capable of accepting or wearing the crown of Greece. It was naturally asked at the same time of the Russian Government whether the Duke of Leuchtenburg, who had been brought up at St. Petersburg as a Russian Prince, who appeared in their almanacks as part of the Imperial family, and was to all intents and purposes part of it, would be excluded by the Protocol of 1830. The answer was, that there were critical doubts about it. We then said—what I think was quite fair—that if we were to have a protocol of exclusion, it must not be merely operative against the Royal Family of England, but must also be operative against the Imperial Family of Russia. We were not prepared to sign anything which applied to Prince Alfred that did not apply to Prince Leuchtenberg. Whereupon that negotiation ceased—at least, for some time. It appeared to me that the proper course was to leave the Greeks entirely free to take their own course in the first instance, and reserve our objections. The consequence of that policy was, that after a time the Russian Ambassador at Her Majesty's Court informed me that he was ready to sign a note excluding Prince Leuchtenburg on the one side, provided Her Majesty would exclude Prince Alfred on the other. It appeared to me that to have left matters depending upon an uncertain and unintelligible protocol would have enabled the Russian Government to propose the Duke of Leuchtenberg, and we might have had complications; but, by the understanding come to, the Princes of all the three families were excluded.

Earl Russell

Then the noble Earl came to the subject of the Ionian Islands, on which I confess that I differ from him *in toto*, both as to his history, his facts, and his principles. The noble Earl admitted, in the first instance, that the Ionian Islands were not a part of the dominions of Her Majesty; but he entirely forgot that fact in all the rest of his observations. Now, what is the history of this Protectorate given to Great Britain? I have heard it orally from a lamented friend of mine, the late Lord Beauvale, who knew all that happened at the Congress of Vienna, and I have found all that he said confirmed in the protocols and treaties of that Congress. As the noble Earl has said, at the end of the war six of these islands were in the possession of Great Britain, having been acquired by her own arms, and the other was temporarily held by another Power. The Austrian Government offered, as they were in a position affecting the tranquillity of Venetia, Dalmatia, and the Adriatic coast, to undertake the government of these islands, securing to the islanders the enjoyment of their own privileges. But it happened that at that time the voice of Russia was very powerful. The results of the campaign had given the Emperor Alexander very great influence with the Congress, and Count Capo d'Istrias, a Minister high in that Emperor's confidence, who had a patriotic feeling in favour of the nationality of the Greeks, suggested when Austria made her proposal, that the Ionian Islands should be maintained in all their privileges as a free State under the protection of Great Britain. He said that the institutions of Austria did not give any promise of freedom to the Ionian Islands, but he admired British institutions, and wished the Ionians to have the benefit of them. The consequence of that declaration and that interference of Russia was a treaty in which was it said—that Great Britain should have the fortress of Corfu, to give her power in the Mediterranean? Nothing of the kind—it said that the Ionian Islands, naming each island, should form one single, free, and independent State, under the name of the Republic of the Ionian Islands. So that they are by no means a possession of Great Britain or any part of the Queen's dominions; but are, by that Treaty of 1815, a free and independent State. Well, what becomes of all the argument, if I may call it so, about the importance of the fortress and the position, seeing that these Islands are only under the Protectorate of Great Britain? My opinion is, that having adopted a trust, having made yourselves the protectors of this free and independent State, you are bound to look to the welfare of the Ionians. Above all that you are bound to discharge your duty faithfully and conscientiously towards that free and independent Republic. I believe the importance of Corfu is very much exaggerated. But if you were to say, "We care nothing about the wishes of the Ionian Islands, but what we do care about is a fortress for ourselves, what we do care about is a harbour for Great Britain," I believe that all Europe would cry out upon you for that declaration, and those who gave you that trust would say, "You have perverted the solemn trust confided to you, and that which ought to have been treated according to the original terms of the stipulation for the benefit of the Ionians you have considered only as a part of the strength of your dominions." Because that was the whole gist of the noble Earl's remarks. He never spoke for a moment about the Ionians or their wishes.

THE EARL OF DERBY: I beg pardon, I quoted the noble Duke opposite, that the Ionians should be consulted on the cession.

EARL RUSSELL:—That is exactly what we are going to do. We mean to consult them. Moreover, this is a matter which also requires consideration from the other Powers. We shall say first to the Ionians "If you, on the meeting of your Parliament, to be convened for the purpose, shall declare (as once or twice they have irregularly done), that Greece being now an independent kingdom, we wish to belong to Greece;" then we shall consult the other Powers of Europe who were parties to the original treaty, as to what should be done, and whether, it being the wish of the Ionian Islands to be joined to Greece, they ought not to be so joined. If it is clearly the desire of the Islands, as it is very possible it may be, notwithstanding the symptoms that have from time to time been exhibited—if it is their desire to enjoy the benefits of the protection of Great Britain, which, I think, are very great, and which have much tended to their civilization; then one consequence of this will be, that we shall be free from the reproach which is cast upon us from every side—that while in every corner of Europe we profess such liberal principles, while we profess that Italy ought to be independent and free to control its own concerns, we coerce and oppress the Ionian Islanders, who wish to be released from our rule. These Islands being no dependency of the British Crown and no part of the British dominions, if they fairly and deliberately declare their desire for union with Greece, I maintain that be the advantages of our having a fortress in the Mediterranean what they may, it does not belong to the character of this great country to say that it will keep them in subjection, although they wish to be free and are entitled to be so. The noble Earl may laugh at this whole question if he likes; but I confess that to see two countries, to which such great recollections belong as Greece and Italy, rising again into freedom, independence, and happiness, is a great pleasure to me; and it would, I think, be a great glory to the Government of Great Britain to have contributed to such a result. This is not a new policy, but one that has been pursued by the statesmen of this country for generations. Our conduct in regard to Holland, Portugal, Greece and Belgium in past times bears evidence to the exertions of Great Britain towards the establishment of free and independent communities. That is our true policy; and the extension of our empire is not so valuable to us as this extension of free and independent nations, which, having the support of Great Britain, there is no chance of that single despotic dominion by which Europe has more than once been oppressed. Your Lordships will be better able to judge of these matters when you have read the papers which will be laid before you.

My Lords, if the noble Earl opposite and my noble friend behind me have been unable to go through this debate without paying some tribute to the memory of the late Marquess of Lansdowne, I feel that it is impossible for me, who had been so long connected with him in friendship and by political ties, to omit the mention of his name. The recollection of his life is one of no ordinary character. It is the recollection of a life pure, honoured, and respected—known to this House by combined wisdom, moderation, dignity, and courtesy—known to the public at large by the many services which he contributed to the legislation and the institutions of his country. My Lords, I hope that a spirit like his may preside over your Lordships' deliberations. His spirit was this, that while he dearly loved the Constitution, he was a friend to every improvement, every well-considered advance that could be made in our institutions. So that as a steadfast friend of the Constitution, that Constitution would never suffer in his hand, nor the cause of sound progress be impeded. When your Lordships consider the great measures that were passed in his time and by his assistance—measures which included every kind of religious or political question—questions affecting the rights of Protestant Dissenters, questions affecting the disabilities of the Roman Catholics or the emancipation of the Jews—when you look at the measures for free trade in corn, so deeply affecting the material interests of the community—when you look at the Reform Act, affecting the political power of the people in the country, I think you will find that the spirit which animated Lord Lansdowne is the spirit which ought to animate all who take part in political affairs. It has been a great mercy to England and the world that extreme changes have been made here in peace and tranquillity which in other countries would in all probability not have been effected without revolution. I think you will find that that is partly owing to the prevalence of the feelings and views entertained by the deceased statesman—feelings and views which were alike favourable to liberty and order, and which deserve the attention of mankind.

The Earl of MALMESBURY:—My Lords, I need not say that I agree with the concluding words of the noble Earl with respect to the lamented nobleman who has been taken from us. I can only add my honest wish that when hereafter any noble Lord shall assume the leadership of this House he will remember the conduct of the Marquess of Lansdowne, and endeavour to imitate it as closely as possible. I will not trespass on your time, for it would be superfluous to say how sincerely I participate in the feelings of those who have already spoken with regard to the auspicious event which has been announced to us in the first part of the Speech from the Throne. Indeed, I should not have thought it necessary to address your Lordships at all but for some observations of the noble Earl opposite (Earl Russell) in answer to my noble Friend behind me. Before replying to those observations, allow me to express my approbation of the policy pursued by the noble Earl with reference to the affairs of America. I agree that we could not have recognised the Southern States without going further—bare recognition would have been utterly barren; it would not have been of the smallest use unless followed up by forcible intervention, and unless we had insisted upon the blockade being raised. But although I entirely agree in that part of the noble Earl's policy, I cannot go farther and agree with the noble Earl, or even with my noble Friend behind me, in thinking that the noble Earl pursued a right course with respect to the French proposal for mediation. I think it was our duty, as a Christian people, being of the same religion and the same blood, and speaking the same language as the Americans, to do whatever we possibly could to stop the dreadful struggle now going on among them, provided always that we neither risked our neutrality nor incurred dishonour. It is impossible to conceive, if you recollect what the proposition of the French Government was, what harm could have occurred to our Government by joining in their proposition. If it had succeeded, the credit of this country would have been lasting—it would have been a most creditable page in the history of this country; whereas, if it had failed—if the Northern States rejected the proposition even with insult—the attempt could have brought no detriment upon us. Even if it had been received with insult, we need care for no insult which does not bring dishonour with it, and this could not have brought dishonour, but the contrary. I do not feel convinced that it would not have succeeded—it is possible that the proposition might have done so; for it seems almost against common sense and probability to believe that in that great country, inhabited by millions, so sorely tried for two years by every misfortune by which men can be cursed, there are not hundreds of thousands composing a peace party who would be glad to obtain peace if they could get it with honour, and who would be glad to avail themselves of any reasonable excuse which saved their pride. However that may be, the attempt should have been made, and I regret that the noble Earl did not join in the French proposition. The Emperor has kept steadily to his purpose. Alone of his own accord, he has renewed his efforts to put a stop to the war. If he succeeds, he will have plucked from us one of the greatest opportunities we ever had for distinguishing the Government of this country. Before leaving the subject of America, I want to express my sincere hope, that although the noble Earl has been baffled, as I know he has, in treating with so extraordinary a body as the Government of the Northern States, he has endeavoured to stop, or at least mitigate, some of the horrors now going on in America. I have no doubt he has done so, and that the papers he is about to lay on the table will show that he has done so. But, without distressing your Lordships by any enumeration of the horrors of the war—horrors unparalleled even in the wars of barbarous nations—I should like to know whether the noble Earl has arrested one special kind of diabolical cruelty enacted by the Government of the United States. That Government has, contrary to all the common laws of war, contrary to all precedent, not excluding the most ignorant and barbarous ages, declared medicines and surgical instruments contraband of war, thereby, in plain English, enacting that nothing should be done to mitigate the sufferings or save the life of a wounded or dying enemy. So horrible a proceeding requires, I think, the publicly expressed condemnation of every civilized country in the world. I now come to that part of the noble Earl's speech in which he taunted my noble Friend behind me, who had, as I think very properly, reproved him for his officious advice given in all directions and on all occasions, with having done exactly the same thing himself. The noble Earl taunted my noble Friend with having been equally fidgety and fussy upon every occasion, and he quoted the advice given to the King of Naples and the Grand Duke of Tuscany in 1859, which advice, the noble Earl said, amounted to this:—The King and the Grand Duke were counselled not to involve themselves in the disputes between Piedmont, Austria, and France, but to remain quiet at home, governing their own subjects and not meddling with those of others. I do not recollect any such advice having been given to the Grand Duke of Tuscany, but I do recollect it having been given to the King of Naples; and if I were in the same position again, I should repeat that advice. It is sound advice to anybody to tell him to take care of his own business, and not meddle with that of others, especially when war is in question. But there is a very great difference between the advice recently given to the King of Denmark and the Pope by the noble Earl and that formerly given by the Government of which I was a member to the King of Naples. The difference is this:—The King of Naples asked for our advice; but I am not aware that either the King of Denmark or the Pope paid the same compliment to the noble Earl. We gave our advice, moreover, in the hope of forming a congress; and I hold it is not officious to attempt to constitute a European conference for the amelioration of Governments, as we did for Italy. There is then a great difference between the advice given by the noble Earl to the King of Denmark and the advice given by us to the King of Naples. But the advice given by the noble Earl to the King of Denmark was not only not asked for, but it was of a very surprising character, for it was the exact contrary of the advice he had given to the King of Denmark before. In 1860 and 1861 the noble Earl, in his despatches, pronounced Schleswig to be a Danish duchy; he stated that the German Confederation had no right to interfere in its administration; but in his recent despatch he recommended alterations which, in fact, would Germanize Denmark and establish the Government of the country at Frankfort instead of at Copenhagen. The noble Earl's scheme would have given an inadequate representation to Denmark proper. [Earl RUSSELL: I never advised anything of the sort.] Not in so many words; but the noble Earl sided with the Germans, who wished to abrogate the old charter, and to enforce a policy the result of which would be, by giving the same number of members to the German provinces, which contain 80,000 inhabitants, as to Denmark proper, which contains 1,600,000, to place the Government of Denmark at Frankfort. However, I do not wish to weary your Lordships with this *bête noire* the Danish Question, the terror of which, as you may be aware, has already sufficed more than once to disperse the other House. I will only say, that even if I agreed to every statement in the noble Earl's despatch, I should object to the style of it. Denmark is an ancient State, more ancient than our own, for its kings have sat on our throne of England. It is an honourable one, too, for it has maintained its independence for centuries. Such a kingdom, small as it is, ought to be treated with deference, and I say that is what the noble Earl has failed to do. The noble Earl's intentions may be good, but his pen sometimes gets the better of his judgment, and I think it did so when he wrote his despatch on this question. He appears not to possess that sort of moral thermometer by which he is able to ascertain the temperament at which a despatch of advice or remonstrance can be written without offence. He addresses Denmark just as if it were a vassal of England instead of an independent State. Surely, too, the noble Earl forgot himself in his recent communications with the Pope. It may be quite true that His Holiness is unpopular at Rome. But suppose this case:—The noble Duke, for example, who is at the head of the Admiralty, possessess, as one of the emoluments of his office, a handsome house at Whitehall—God forbid that I should compare its architecture to that of the Vatican, any more than that I should say he was as unpopular in the navy as the Pope is in Italy—but assuming he were so, and any kind friend were to say to the noble Duke, "Leave the Admiralty, and I will find you a spare room where you will be free from the cares of office, and I will send my carriage to fetch you," would not the noble Duke answer just as the Pope did, "I don't know what trials Providence has in store for me, but for the present I have no apprehensions, and prefer to stay where I am"? As to the Greek question, I have been very much astonished at the course which the Government has taken. My noble Friend near me (the Earl of Derby) has, I think, placed the Government on the horns of a very awkward dilemma. If the diplomatic contract which existed prevented the acceptance of the throne of Greece by Prince Alfred, the Government should immediately have made it known that such was the case. Having looked at the protocol, I maintain that it is as good now as ever, and I cannot conceive how Russia could dispute it.

Earl RUSSELL: Russia disputed not the binding nature of the protocol, but its application to the Duke of Leuchtenburg.

The Earl of MALMESBURY: We heard a good deal not long since about bubble bets. It seems to me that in Greece there was a "bubble" election, because Her Majesty's Government never intended that Prince Alfred should accept the crown. I think such a proceeding was most disrespectful to the Prince and the Royal Family, and it was undoubtedly cruel to the Greek people. Every day of delay in forming a solid and permanent Government in that country is an additional day of anarchy. Up to this time the people have behaved very well, and have obeyed their provisional Government; but I have received reliable information that disorder is beginning to appear, and that brigandage is gaining ground; so that if this question be not very quickly settled, it is impossible to say what may be the result. By their finessing Her Majesty's Government have postponed the settlement of Greece, and will therefore be responsible for any misfortune which may ensue. I am also very much surprised at the cession of the Ionian Islands. The noble Earl tells us he is giving them up because, as I did not know before, we have been taunted with holding the Protectorate for selfish ends. If the noble Earl is so susceptible, there is no saying where he will stop. He may shortly find that similar taunts are applied to our occupation of Gibraltar or Malta, and may find it necessary to vindicate the purity of our character in the same way. There are some persons who insist that Corfu is of no use to us. I say that is a mistake—it is an important harbour and fortress, and the key of the Adriatic. But Corfu cannot be defended by the Greeks—the whole Greek army would be insufficient to hold the fortifications of that port; and even if they could, I doubt whether in the event of a European war they would defend it. The result would be, that when hostilities broke out, it would be seized by France or Russia. I trust that the Government will inquire as to the value of Corfu of some of the veterans who took part in the naval operations in the Adriatic, under Sir W. Hoste. Some of his captains are still living. I am certain they would support the view I take, and that they would strongly deprecate our giving it up. And I see no reason why, because the noble Earl and his predecessors have mismanaged the Ionian Islands, they should now be abandoned.

Earl GREY said, there were two points in the speech of the noble Earl opposite (the Earl of Malmesbury) on which he so entirely differed from him that he desired to address a few observations to those subjects. The noble Earl had expressed regret that Her Majesty's Ministers had not concurred with France in offering their good offices to America for the purpose of terminating the existing war in that country. He could not share in that regret; he felt as strongly as any noble Lord in that House a desire for the cessation of that horrible warfare; but he asked, did any one believe that the tender of the good offices of France and England at that time would have contributed to bring the war to a close? It had been well observed by the noble Earl who followed the Proposer and Seconder of the Address, that before an accommodation could be recommended, the principle on which it was to be proposed must be determined upon. The South insisted on independence, and the North on the re-establishment of the Union; and he thought that their Lordships would feel that some months ago, when the proposal from France was received, it would have been worse than useless to advise the contending parties to agree to either principle. If an accommodation had been proposed on the assumption that the re-establishment of the Union was impossible, the Government of the Northern States might well have complained of the exertion, on the part of this country, of a moral power against them; and if, on the other hand, mediation had been offered on the basis of the re-establishment of the Union, then they would have proposed what he concurred with every noble Lord who had spoken in thinking was absolutely impracticable. There could, he thought, exist little doubt, that if we had so interfered, we should, instead of doing good, only have further irritated those already too much irritated against this country. The other question on which he desired to express an opinion was with reference to the Ionian Islands. It was a question of very great importance; and, much to his surprise, it had been implied by a noble Earl opposite that there was some foundation in the objection popularly taken to the course pursued by the Government, on the ground that the Government had not waited for the concurrence of Parliament before it had proposed the transfer of those Islands to Greece. The Ionian Islands were neither in fact nor technically part of the British dominions; but could there be any doubt, even supposing that the Islands really formed part of the foreign dominions of the Crown, that the Crown possessed the constitutional power of ceding them to a foreign nation? He said nothing as to the advisability of such a course. All negotiations and conclusions of treaties rested with the Crown; if the Crown abused its authority, the advisers of the Crown were responsible, and were liable to the censure of Parliament, and even to impeachment, if they advised the Crown to adopt measures injurious to the empire. There were precedents of cessions made by treaty. The magnificent island of Java was thus ceded, and injudiciously in his opinion, but he believed that in respect to that transaction it never was asserted that the authority of the Crown was overstepped. There was, therefore, nothing unconstitutional or irregular in the course pursued with respect to the Ionian Islands. And he would go further, and say that, in his opinion, the measure was not only right in form but right in substance, and, instead of deserving censure for the proposed arrangement, the Government were entitled to praise. It had been said that the Ionian Islands were extremely valuable, especially in time of war. He certainly did not know how they could be valuable to this country in time of peace, for England drew no tribute from them, but, on the contrary, expended a considerable sum of money on them. The trade with them was not very large, but that would go on just as well if the Ionian Islands were given up to-morrow. With regard to the importance of the Islands in time of war, much stress had been laid upon the experience of the last great war with France, and in the opinion said to have been expressed by Sir William Hoste, that the possession of Corfu would have been then of more value to him than the best frigate in his squadron. He could perfectly well understand that this might have been a sound opinion with reference to the circumstances of those times; but their Lordships must remember that this was before the invention of steam, and Italy was then occupied by a French army, to which the population was generally hostile, and against which we were carrying on operations by harassing attacks upon the coast. With reference to these attacks, and when, from not being in possession of steam-power, it was important to be able to obtain supplies for our ships from various quarters, the possession of Corfu would obviously have been of great value; but circumstances were now entirely changed. He hoped and believed that Italy was now about to become a great and powerful nation, and was not likely to be again occupied by French armies in the same manner as it had before been, nor was there a prospect of gigantic hostilities like those carried on during the great Revolutionary War. One station in the Mediterranean was quite sufficient for our purposes; and looking at all the circumstances, he thought it obvious that Malta should be that one. Instead of being an advantage to this country during war, he was persuaded that the possession of the Ionian Islands would be a source of difficulty and danger. In the first place, they would require a garrison of certainly not less than 10,000 men; and with our army, which always had been and always must be numerically small as compared to those of the great military Powers of the Continent, to have 10,000 men taken away to garrison a port like this would be a great inconvenience. But even 10,000 men, if we were at war with these great Powers, would not be safe without the constant support of a naval force; without this they would be liable at any moment to be attacked by a superior force, which it would be impossible for them to resist, especially if the population were unfriendly. To guard against our suffering so heavy a blow, we should therefore be compelled always to keep our fleet within reach of these islands for their protection if required, and the necessity of affording this protection would obviously cripple and hamper the movements of our Mediterranean fleet in other operations that might be wanted. There was another view of this question in which he concurred with his noble Friend the Foreign Secretary. He agreed with the noble Earl that the Ionian Islands had been given to us for their benefit, and not for ours; and it would do much damage to the reputation of this country if we allowed it to be supposed that we insisted on retaining the Protectorate, not for their advantage but for our own selfish objects. Again, he concurred with the Government in thinking the moment most happily chosen for offering a surrender of that Protectorate. He did not think it would have been consistent with our obligations to surrender it during the existence of the late Government in Greece, which had failed in fulfilling the objects for which it had been called into existence; but when a fitting opportunity presented itself, he believed we were doing what was right in offering no obstacle to another arrangement. We accepted the Protectorate under a treaty by which we were bound to give the Ionian Islands a constitutional Government; but such a Government could not work in any country without the consent of the people, and in spite of all our endeavours to conciliate the people of the Ionian Islands—and he did not know what more we could have done for them—such was their attitude towards the protecting Power, that though a constitution existed in the country, it was set aside year after year. Session after session Parliament met in those Islands, but did nothing. It met and declared its intention to have the Islands annexed to Greece. It was then prorogued, and the Government was carried on by provisional acts of the Senate; that is, virtually by the arbitrary authority of the Lord High Commissioner. This for several years had been the regular march of events. He believed that of late the Ionian Parliament had sat somewhat longer and done somewhat more than a few years ago, but it still refused fairly to co-operate with the British authorities, and, substantially, we had failed in our endeavours to give the people the benefits of constitutional government. The most necessary functions of government were thus in abeyance; and though the Ionian Islands were under a system of law which was positively preposterous, and which the British Government was most anxious to amend, in consequence of the deadlock between the protecting Power and the representatives of the country, none of those reforms or improvements which were necessary for the development of the natural resources of the country could be accomplished. The continuance of such a state of things was not creditable to this country; and when there was an opportunity of withdrawing from a position of such embarrassment, in his opinion Her Majesty's Government had judged wisely in resolving to avail themselves of the occasion.

THE EARL OF CARNARVON said, that the noble Earl who had just sat down (Earl Grey) had taken exception to the speech of his noble Friend (the Earl of Malmesbury) on two points. One of these points was the expression of regret that Her Majesty's Government had not joined the Emperor of the French in offering mediation between the contending parties in the United States. This, however, was a past transaction which might be made subject of discussion, but which no criticism now offered could alter or modify. The second point to which the noble Earl took exception was in a different position —the cession of the Ionian Islands to Greece. As these Islands had not yet wholly passed out of our possession, and as it might be possible to bring Her Majesty's Government to review the circumstances under which they had made the offer to cede our Protectorate, he should say a few words in answer to some of the observations of the noble Earl. He was not one of those who at all times and under all circumstances would object to any modification of our position in respect of these Islands, or even to a surrender of the Protectorate; but he contended that either a modification or a cession ought to be considered in connection with the time and circumstances under which it was proposed. That point, however, was one which had been entirely overlooked by the noble Lord opposite who had spoken on the subject. For his own part he had failed to ascertain from the speech of the noble Earl opposite (Earl Russell) what were the precise grounds upon which this cession was justified. The noble Earl (Earl Grey) justified it upon military grounds, upon the temper of the islanders, and upon political considerations. As to the former of these, though it might be said on the one side that steam communication had altered the conditions which made the possession of these Islands desirable, it might also be alleged on the other side that this very steam communication, rendering a greater number of coal depôts necessary than heretofore, added to the importance of these Islands to this country. As to financial considerations, he should be the last to object to any sound and effective economy; but the cession of dependencies of the British Crown was a very rough-and-ready mode of practising economy. Where was such a principle to stop? Malta, Gibraltar, and India cost money. Was economy to be carried out by the cession of these dependencies? Moreover, the Government were bound to show why they gave this priority to the Ionian Islands over half-a-dozen other places, where we were possibly spending quite as much money and getting less in return. Then there were the political considerations which had been spoken of. He observed that this step was called a "gift." But the Ionian Islands were not ours to "give," for we had neither conquered them nor inherited them, and he doubted whether it was competent for us to "give" away that which had been well defined by his noble Friend as a territory confided as a trust to our guardianship. No doubt a trust might be resigned, but it must be resigned into the hands from which we had received it; and, if alienated, it must be alienated with the consent of our co-trustees. The Treaty of Paris stipulated that they should remain a single, free, and independent Kingdom. If they were ceded to Greece, they might be free, but they would certainly not be independent. Then as to the time at which this "gift" had been proposed. At this moment Greece was neither a monarchy nor a republic, but a vague, indefinite phantom, which had no existence in the councils of Europe. He admitted that by their recent moderation and good order the Greeks gave hopeful promise for the future; but he confessed that he could not understand the precipitancy of the Government in what they admitted to be so weighty and important a matter. The noble Earl (Earl Grey) said that the consent of Parliament to the cession was not necessary, and perhaps technically this was so. But of all men he should have thought that the noble Earl would have been the last to dispute the right of Parliament to consider this question or the propriety of such a course. He asked, what was the real value of this gift to the Greeks themselves? If, indeed, we could give to Greece, along with the Ionian Islands, Epirus, Thessaly, Albania, Candia, and other territory adjacent, the gift would be one worth having. But four years ago, when this question was mooted, the most moderate politicians of Athens were far from desiring the annexation of the Ionian Islands, seeing in it the annexation of Greece to the Islands rather than that of the Islands to Greece; for the islanders had held out threats, that if the annexation took place, they would revolutionize the dynasty and the constitution. Then was this measure palatable even to the inhabitants themselves? Mr. Gladstone formed the opinion that the wealthy and respectable islanders were afraid of annexation to Greece. Turkey, also, would not view with complacency the aggrandisement of this aggressive neighbour. She could hardly desire to see the Greek power extending itself on her western flank and threatening Albania. The fact was, that in making this proposal the Government were dealing with a mere fragment of the Eastern question, and, instead of advancing the solution of that question, were laying the foundation of still further complications. He could not separate this question from the question of the election to the Crown of Greece. It was clear that the noble Earl had given a certain sanction to the candidature of Prince Alfred, when he knew that by treaties which were still in existence, and binding upon us, any such candidature was forbidden. Was it right for the British Government to bring forward an English Prince in such a manner as to make their support or withdrawal of him a matter dependent upon circumstances? The people most entitled to complain of the conduct of the Government was the Greek people, who were at first led to believe that an English Prince was a possible Sovereign for them, and a month was allowed to elapse and an election to take place before any doubt was thrown upon such a possibility. When Prince Alfred was withdrawn, the British Government recommended the King of Portugal, but took no previous steps to ascertain whether the King would accept the dignity if offered to him. Again were the Greeks disappointed; and now a third time, when it appeared that the Duke of Saxe-Coburg was disinclined to mount the vacant Throne. He could not help thinking that by the course they had pursued the Government had been trifling with a grave question, and had given the Greek people great reason for complaint.

Lord WODEHOUSE said, he did not think the noble Earl who had just sat down had dealt quite fairly with the arguments of his noble Friend the Secretary of State for Foreign Affairs, who had contended, that inasmuch as this country held the Ionian Islands as a trust, we ought not to continue to hold them when we could no longer discharge that trust for the benefit of the inhabitants of those Islands. There was a great difference between our tenure of those Islands and that by which our other possessions abroad were held. The Ionian Islands were, in fact, a free State under the protection of Great Britain, and therefore it was competent and right for the Government to take steps to get relieved from their trust when they could no longer execute it satisfactorily. The noble Earl had objected to the time at which the cession was proposed, but that really was a point upon which the Government were entitled to credit. For himself, he thought that so far from the time chosen for making the offer being inopportune, it had been very wisely and appropriately chosen. While the Government of Greece was unsatisfactory, the transfer could not be made, but when a change took place, and a Government was formed that was likely to be more stable, the British Government wisely lost no time in making it known, that when the new Sovereign should be elected, they would give up the Ionian Islands to Greece. The consent of the other Powers who were parties to the Treaty of 1815 must be obtained; but he understood his noble Friend the Secretary of State to say that that assent was reserved, and that all arrangements must be subject to its being obtained. He therefore saw no ground for impugning the conduct of the Government in respect to Greece. But there was one question upon which he did not quite agree with the noble Earl the Secretary for Foreign Affairs. He regretted that his noble Friend should have used such strong language respecting the relations between Schleswig and Denmark, as that contained in the despatch which had been referred to that evening. So strong a statement could not fail to increase the difficulties—already very severe—of the Danish Government in dealing with that complicated question. Of course, there could be no objection to proposing friendly arrangement for the solution of these difficulties, if any such had appeared feasible; but the noble Earl should have remembered that Schleswig was in a different position as regarded Germany from Holstein and Lauenberg, and should have been careful not to give a colour to the suggestion that, in the opinion of the British Government, Germany was entitled to the possession of Schleswig. The only other point to which he need refer was that of the United States, and he should do so simply to express his opinion that the Government were well advised in not interfering in the contest now raging in that country.

Address *agreed to, Nemine Dissentiente;* and Ordered to be presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The Lord Redesdale appointed, *Nemine Dissentiente,* to take the Chair in all Committees of this House for this Session.

COMMITTEE FOR PRIVILEGES—Appointed.

SUB-COMMITTEE FOR THE JOURNALS—Appointed.

APPEAL COMMITTEE—Appointed.

ACTS OF UNIFORMITY AMENDMENT BILL [H.L.]

FIRST READING.

A Bill to amend the Acts of Uniformity—Was *presented* by The Lord Ebury; read 1ª; and to be *printed.* (Nº 1.)

House adjourned at half past Nine o'clock, till To-morrow, half past Four o'clock.

HOUSE OF COMMONS.

Thursday, February 5, 1863.

The House met at a quarter before Two of the clock.

Message to attend the Lords Commissioners;—

The House went;—and having returned;

MR. SPEAKER acquainted the House that he had issued Warrants for *New Writs,* for Stoke-upon-Tent, *v.* John Lewis Ricardo, esq., deceased; for Southampton Town, *v.* Brodie M'Ghie Willcox, esq., deceased; for Totnes, *v.* Thomas Mills, esq., deceased; for Andover, *v.* Henry Beaumont Coles, esq., deceased; for Kent (Eastern Division), *v.* William Deedes, esq., deceased; for Totnes, *v.* Earl of Gifford, deceased; for Reigate, *v.* Hon. William John Monson, now Lord Monson.

NEW MEMBERS SWORN.

For Andover, William Cubitt, esq.; for Southampton Town, William Anderson Rose, esq.; for Totnes, John Pender, esq.; for Stoke-upon-Trent, Henry Riversdale Grenfell, esq.; for Kent (Eastern Division), Sir Edward Cholmeley Dering, bart.; for Totnes, Alfred Seymour, esq.

NEW WRITS.

For Devonport, *v.* Vice Admiral Sir Michael Seymour, Chiltern Hundreds; for Cambridge Borough, Andrew Steuart, esq., Manor of Hempholme; for Somerset (Western Division), Charles Aaron Moody, esq., Manor of Northstead; for Cambridge County, Edward Ball, esq., Chiltern Hundreds.

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read 1º.

THE LORDS COMMISSIONERS' SPEECH.

MR. SPEAKER *reported,* That the House had been at the House of Peers at the desire of the Lords Commissioners appointed under the Great Seal for opening and holding this present Parliament; and that the Lord High Chancellor, being one of the said Commissioners, made a Speech to both Houses of Parliament, of which Mr. Speaker said he had, for greater accuracy, obtained a copy; which he read to the House.

ADDRESS TO HER MAJESTY ON THE LORDS COMMISSIONERS' SPEECH.

MR. CALTHORPE rose to move that an humble Address be presented to Her Majesty in reply to Her Most Gracious Majesty's Speech. The hon. Member said, that although the Government of this country was a popular and constitutional one, it could not be doubted that the personal character of the Sovereign exercised a most important influence upon the country; and in no instance had that influence been more deeply felt or widely extended than during the beneficent reign of Her present Majesty. Under these circumstances, looking to the fact that in the course of nature they might expect at some future period—which he prayed might be a remote one—His Royal Highness the Prince of Wales would sit on the throne of this country, he thought that it was the duty of the House, upon what might be termed the commencement of his public career—His Royal Highness having this day taken his seat in the House of Peers—and also upon the occasion of so important a step as the marriage of His Royal Highness, which was an event of the highest consequence in the life of any man, whatever might be his rank in society, to offer their congratulations to Her Majesty, with a renewed expression of their loyalty and good-will. When, moreover, all had heard of the beauty and the winning grace of the Royal lady whom His Royal Highness had chosen for his bride, and knew that it was a union which was not the result of dynastic motives or political consideration, but was founded on mutual affection, arising from an intimate knowledge of each other, he thought they might look forward with confidence to the future and lasting happiness of the Royal couple. Then there was another member of the Royal Family to whom the Greek nation had offered their crown. When we recollected that only seven or eight years ago we, in concert with our allies the French, occupied the Piræus, that at that time Russian influence was paramount at Athens, that we had always been the staunch ally of that Power which the Greeks regarded as their mortal enemy and old oppressor, and had always sternly opposed any aggressive extension of their frontier, the unanimous election of Prince Alfred to the Greek throne could only be attributed to the appreciation of the personal character of Her Majesty, to a desire to compliment the gallant Prince her son, and to a conviction that a constitutional system, as it worked in this country, was most conducive to personal liberty and to the material progress of a nation. They were informed in Her Majesty's Speech of the reasons which had induced the Prince to decline that offer. It was not for him to express any opinion of the reasons which had induced Her Majesty's Ministers to give the advice that the offer should be refused; but he might state, that one result of the events which had taken place in Greece was, that the British Government had proposed the cession of the Ionian Islands to the Greek nation. The intelligence and mercantile energy of the Greeks were so great that he had no doubt, that if they could only obtain the services of a chief of ability and of honest purpose, and, following the example of Piedmont under the guidance of Count Cavour, would turn their attention to the internal improvement of their country, they might yet become one of the most prosperous countries in Europe. To such a people the addition of a territory containing a population of 230,000, speaking a common language and sprung from the same race, with the territory of the Seven Islands, could not fail to be of most material advantage. Individually, he congratulated the Government upon having taken the first opportunity of relieving this country from a reproach which had of late years been frequent in the mouths of our enemies. Since the revolution of July we had always maintained the principle that the governed had a right in the choice of their rulers; but of late years, whenever we had given our moral support to those who were carrying out this principle, we had been met by the sneering reply, "Why, the very Representative Assembly which you gave to the Ionian Islands have repeatedly voted for their annexation to Greece and their release from your yoke, and yet you have refused to comply with their wishes." That this reproach was unmerited there could be no doubt. We were not in the ordinary position of ruler and governed. We had been placed in these Islands by the great Powers of Europe as their Protectors; but if the great Powers would consent, he hoped that the Government would adhere to their expressed intentions, and would concur in the wishes of the Ionians. He believed that this proposal had been a successful stroke of English diplomacy, because our detractors could only say of what was an act of justice that it was a whimsical fit of generosity.

Some months ago a dark cloud of famine lowered over the heads of half a million of the most industrious of Her Majesty's subjects. How that cloud had been lightened, not only by the brilliant generosity of the people of this country, but also by profuse contributions from Her Majesty's subjects in all parts of the world, was well known. From every colony, however distant, from every people, however remote, from all races and from the members of all sects of religion, wherever the flag of England waved, there had come substantial aid and assistance. We had also to acknowledge with thankfulness the munificent offering which was now on its way to these shores from the Northern States of America. It was a cheering sign that, at a moment when the Northern press and Northern politicians were displaying a pettish and almost childish hostility to this country, there were to be found many Americans who, in the midst of their financial difficulties, and with their hearts torn by the dreadful carnage in their armies, in the midst of all the sufferings they were enduring, could feel sympathy with, and offer assistance to, those of our people who were suffering from no fault of their own. The suffering operatives themselves had, by their patient endurance and their law-respecting resignation, proved to the world the signal advantages of extended education, cheap literature, and the complete absence of any real political grievance.

The Speech from the Throne informed us that, notwithstanding the distress which prevailed in the manufacturing districts, the state of the revenue was not unsatisfactory. He took that to mean, not only that there was no deficit, but that there might be a surplus, and he trusted that he was not out of order in expressing a hope, that should that be the case, and should a reduction of the Estimates be possible, the Chancellor of the Exchequer would take into consideration the weight with which the income tax pressed upon the poorer portion of the middle classes. That in a year during the whole of which half a million of people had been out of employment, and during five months of which they had been on the verge of starvation, the revenue should be pronounced to be in a state not unsatisfactory was a proof of the buoyancy and elasticity of our resources. He should think that even the opponents of the commercial treaty with France must admit at least that the moment of its conclusion was opportune, for by its action and by its action alone had the deficit which must have resulted from the paralysis of our trade with America been made up and supplied. If the commercial treaty with Belgium only had the same success as had attended that concluded with France, the advantages of which would, he believed, be materially extended in future years, we might fairly say that we had before us a prospect of sound prosperity.

He cordially supported Her Majesty's Government in their determination to adhere to a policy of non-intervention in America. He could understand that at any period of last year they might have been induced to join the Imperial Government of France in proposals of mediation; but after the 1st of January of this year, the day on which the proclamation of freedom to the negroes was issued by Mr. Lincoln, he thought that no Government of this country would have ventured to interfere. It might be said that Mr. Lincoln proclaimed freedom to the slaves over whom he had no control, and that those who were in his power he rather consigned to slavery than attempted to free. But in this he believed that Mr. Lincoln had remained strictly within the Constitution. As President of a great federation of States, he had no power to act against any institution in those States; but as Commander-in-Chief he had a right to adopt any measure which might tend to the complete discomfiture and discouragement of those whom he regarded as rebels. Hence this proclamation must be regarded as a military expedient, and not as the result of any moral obligation to the cause of freedom, which of course would operate to the liberation of all slaves in all the States of America. It was also true that the proclamation had not been issued till other means had failed, and was not prompted by a strong feeling against slavery in the North. Indeed, it seemed as if the majority of Northern Americans were indifferent, or at least not unfavourable, to the continuance of slavery; and unless the proclamation exercised a most important effect during the remaining two years of Mr. Lincoln's presidential office, the Democrats, on coming into power, would probably make peace with the Southerns on any conditions they liked to impose. Still the great fact remained that freedom had been proclaimed to millions of black men by the President elected by 30,000,000 of whites. It was difficult not to entertain some feeling of contempt for the Federal Government, for they had brought into disrepute the great principle of self-government. Grosser extravagance, more corruption, and peculations to a larger amount, had been permitted by them than were ever before seen in the world. They had committed frequent violations of personal liberty, of freedom of speech, and of the freedom of the press. They had exhibited to the world a financial system so reckless, so desperate, that it would be ludicrous if it had not involved the most disastrous consequences. But the worst feature of all displayed by the Northerners was the abject moral cowardice of the well-informed classes. From the letter published in connection with the New York State election it was known that at the commencement of the war General Scott counselled a peaceable separation; and from other sources—especially from that self-evidently truthful book of Mr. Russell's—they learnt that these men, who in any other country but the United States would have exercised a commanding influence—statesmen, diplomatists, historians, literary and scientific men, and travellers, nay, even Members of President Lincoln's own Cabinet—

would gladly have consented to a peaceable separation. Ought not people in this country to believe, or at least to hope, that the most respectable portion of the Abolitionists would gladly wash their hands of the sin and crime of a connection with slavery? And yet throughout the whole country there was not found one man with moral courage enough to stand up and attempt to stem the torrent of popular lust of power—not one who dared to come forward in the hope of softening, reasoning with, or calming the popular frenzy of the moment. Indeed, it seemed as if no American ventured on any public platform who was not prepared to advocate the most extreme opinions in the most violent and virulent language. On the other hand, it was impossible not to feel admiration for the unanimity and patriotism shown by the Southerners, for the dauntless courage and patient endurance of their troops, the consummate generalship and brilliant strategy of their superior officers. Neither had their civil administration nor their fertility of resources proved inferior to their military exploits. The knowledge that they personally were not answerable for the detestable institution of slavery had likewise its share in the sympathy aroused by their deeds. They inherited that institution—they did not originate it—they were born to it; and the result of the meeting of the bishops and clergy lately held made manifest what moral obliquity of vision must be induced by constant intercourse with slavery. Neither was England quite faultless in this matter. Though she had done much for the repression of slavery and the slave trade, and she expended £20,000,000 in the manumission of her own slaves, her people eighteen years ago were such energetic free-traders that, in order to render their free-trade policy symmetrical, they abolished the differential duty upon slave-grown sugar, and thereby gave a fillip to that very slave trade which they were spending a million annually, besides valuable lives, to check by the squadron in the West Indies. It might be said that it was hard on the Southerners that they should be continuously deprived of their means of living. It was hard, no doubt; but in all countries in a state of transition there must be suffering and misery; and how much harder were the sufferings of the slaves, how many generations had gone through similar treatment; and if the system were not terminated, how hard would be the sufferings of generations yet unborn! For years the philanthropists of Europe and America had been racking their brains to discover some solution of this vast problem, but they had always been beaten by numbers. How were they ever to buy up 4,000,000 souls? A means at last offered itself unexpectedly. Already more than 100,000 slaves had escaped, and they were told the other day that planters in exposed positions, such as the coast, and banks of navigable rivers, were entering into pecuniary bargains with their labourers. Remembering what the United States were only three years ago, the warm hospitality which they extended to the unfortunate and oppressed of all nations, and that in their population was to be found a larger proportion of prosperous, educated, happy, and contented human beings, enjoying a larger amount of personal independence and personal freedom—of a certain sort—than was to be found in any other country of the world, those who believed in the beneficent acts of an all-merciful Providence were at a loss to account for the infliction of evils so grievous, of miseries so monstrous, as those brought upon that unhappy country by the civil war, unless it were to work out and develop the deliverance and redemption of a race which had suffered so horribly as the negro. The proclamation of President Lincoln was not addressed only to the slaves of the Southern States. Its influence would extend beyond the bounds of the United States. There were three great slave-holding Powers in the world—Brazil, Spain, and the Southern States. It was useless to argue with either of the smaller Powers as long as a nation either of 30,000,000 or of 8,000,000 kept 4,000,000 negroes in bondage. But if President Lincoln's proclamation had the effect of liberating these unhappy beings, he believed ten years would not elapse till Spain and Brazil would cease to be slave-holding countries. In the midst of diverging opinions and conflicting arguments, of reasons based on the same premisses, but arriving at different conclusions, through the chaos of hopes and fears, they still saw shining with steadfast brilliancy the sacred light of human freedom, and the hope of moral elevation for that race which hitherto had been treated as accursed. He had attempted to advocate a great cause, which he believed was the real—though, possibly, the indirect—origin of this war; and he felt convinced that that the good sense and right feeling of the people of England would always prevent any Government from attempting to interfere with or counteract the possible—and, he hoped, the probable—effect of such a proclamation. The hon. Gentleman concluded by moving,

"That an humble Address be presented to Her Majesty, to thank Her Majesty for the most gracious Speech delivered by Her Command to both Houses of Parliament:

"Humbly to thank Her Majesty for informing us that She has declared Her consent to a Marriage between His Royal Highness the Prince of Wales and Her Royal Highness the Princess Alexandra, daughter of Prince Christian of Denmark; and for commanding that the Treaty which has been concluded thereupon with the King of Denmark should be laid before us:

"Humbly to express to Her Majesty our full participation in Her sentiments on an event so interesting to Her Majesty, and which, with the blessing of God, will, we trust, prove so conducive to the happiness of Her family, and the welfare of Her people; and to assure Her Majesty that we will make provision for such an establishment as may be thought suitable to the rank and dignity of the Heir Apparent to the Crown of these Realms:

"Humbly to assure Her Majesty that we cannot fail to be highly gratified and deeply to feel the unsolicited and spontaneous manifestation of goodwill towards Her Majesty and Her family, and of a due appreciation of the benefits conferred by the principles and practice of the British Constitution, which has led the Greek Nation to express so strong a desire that Her Majesty's son, Prince Alfred, should accept the Greek Crown:

"To thank Her Majesty for informing us that the diplomatic engagements of Her Majesty's Crown, together with other weighty considerations, have prevented Her Majesty from yielding to this general wish of the Greek Nation:

"To assure Her Majesty that with Her we trust that the same principles of choice which led the Greek Nation to direct their thoughts, in the first instance, towards His Royal Highness Prince Alfred, may guide them to the selection of a Sovereign under whose sway the Kingdom of Greece may enjoy the blessings of internal prosperity and of peaceful relations with other States; and to express our thanks to Her Majesty for informing us that if, in such a state of things, the Republic of the Seven Islands should declare a deliberate wish to be united to the Kingdom of Greece, Her Majesty would be prepared to take such steps as may be necessary for a revision of the Treaty of November 1815, by which that Republic was reconstituted, and was placed under the protection of the British Crown:

"Humbly to express the gratification with which we learn that Her Majesty's relations with Foreign Powers continue to be friendly and satisfactory:

"Humbly to thank Her Majesty for informing us that She has abstained from taking any step with a view to induce a cessation of the conflict between the contending parties in the North American States, because it has not yet seemed to Her Majesty that any such overtures could be attended with a probability of success:

"To assure Her Majesty that we share in the concern with which She has viewed the desolating warfare which still rages in those regions, and in the heartfelt grief with which She has witnessed the severe distress and suffering which that War has inflicted upon a large class of Her Majesty's Subjects, but which have been borne by them with noble fortitude and with exemplary resignation; that we trust with Her Majesty that this suffering and this distress are rather diminishing than increasing, and that some revival of employment is beginning to take place in the manufacturing districts:

"To express to Her Majesty our deep gratification at the abundant generosity with which all classes of Her Subjects in all parts of Her Empire have contributed to relieve the wants of their suffering fellow-countrymen, and the liberality with which Her Majesty's Colonial Subjects have on this occasion given their aid, proving that, although their dwelling-places are far away, their hearts are still warm with unabated affection for the land of their Fathers; and to convey to Her Majesty our sense of the value of the constant and laborious attention with which the Relief Committees have superintended the distribution of the Funds intrusted to their charge:

"Humbly to thank Her Majesty for informing us that She has concluded with the King of the Belgians a Treaty of Commerce and Navigation, and a Convention respecting Joint Stock Companies, and for directing that Treaty and Convention to be laid before us; together with Papers relating to the Affairs of Italy, of Greece, and of Denmark, and to occurrences which have lately taken place in Japan:

"To thank Her Majesty for having directed the Estimates for the ensuing year to be laid before us:

"To express our satisfaction at learning that notwithstanding the continuance of the Civil War in North America the general commerce of the country during the past year has not sensibly diminished; that the Treaty of Commerce which Her Majesty concluded with the Emperor of the French has already been productive of results highly advantageous to both the nations to which it applies; and that the general state of the Revenue, notwithstanding many unfavourable circumstances, has not been unsatisfactory:

"That with Her Majesty we trust that these results may be taken as proofs that the productive resources of the country are unimpaired:

"To convey to Her Majesty the expression of our deep gratification at the spirit of order which happily prevails throughout Her Dominions, and which is so essential an element in the well-being and prosperity of nations:

"Humbly to assure Her Majesty that we will give our most serious attention to the various measures of public usefulness and improvement which may be submitted for our consideration, and that with Her Majesty we fervently pray that the blessing of Almighty God may attend our deliberations and guide them to the promotion of the welfare and happiness of Her people."

MR. BAZLEY: Sir, in seconding the Address, which has been proposed in answer to Her Majesty's most gracious Speech, I am exceedingly glad of the opportunity afforded for expressing my satisfaction at the general feeling and sentiments displayed in that Speech. We have in it the satisfactory intelligence that we are at peace with all nations, a blessing which I hope may be long continued to us; and it is most gratifying not only to the Legislature, but I believe also to the people of the United Kingdom, that the Prince of Wales is about to form that happy connection which, whilst it secures his own happiness, and will add to the happiness of his Family, has secured the approbation of the country. I believe that His Royal Highness is the worthy son of a worthy sire, and I do not doubt that he will be a solace to the illustrious parent who is spared to him, and an honour to his country.

In common with every feeling man, I deplore the grievous calamity that has befallen our brethren on the other side of the Atlantic, where the grievous spectacle is witnessed of brother meeting brother in mortal combat. I wish I could see any prospect of an early termination of that fatal strife. On the contrary, the war, for all I can see, may be continued for a long period, and its continuance cannot fail to be attended by a prolongation of the distress in our own manufacturing districts. The sufferings of the people there have been very acute, but they have borne them with loyalty and resignation; but deep as has been their distress, and much as they long for the restoration of peace, they are still firm in their desire that their labour should not be renewed with material which is the produce of slave labour. The consequences of the struggle between the Northern and the Southern States have fallen upon us in two ways—first, by the loss of the raw material; and, secondly, by the closing of a great market for our manufactured products. We must now, therefore, look not only for new fields of supply for our raw material, but also for new markets in which to vend our products. The distressed operatives of the manufacturing districts have received the kind sympathies not only of their own countrymen, but of every people on the face of the earth. We have had substantial assistance afforded to us from every part of the United Kingdom. I have received important information from Mr. Farnall, the Poor Law Commissioner, on the subject of the prevailing distress, with which I will not trouble the House, as I have received more recent information from Mr. M'Clure, the Hon. Secretary of the Relief Committee. It appears that in the week ending January last—that is, a few days ago—the guardians of 147 unions in the manufacturing districts were affording relief to the amount of £15,612, which was distributed among 221,045 persons. From the Relief Fund during the same week the sum of £39,474 was expended in the relief of 374,630 persons. The total relief was therefore £55,086, which was distributed among 595,675 persons. The total contributions from all sources—the spontaneous contributions of the people of the United Kingdom, of the colonies, and of foreign countries up to the end of January—amounted to the large sum of £760,692. It is quite true that the cotton operatives have been slightly better employed of late but I fear that there is no possibility of any improvement at present to any great extent. I regret, too, that the distress is increasing to a lamentable extent among the class of small tradesmen, and other classes who have not hitherto received assistance from the Relief Fund. The fact is, that for the last two years a large portion of the people of the manufacturing districts have been living upon their capital. The workpeople have been compelled to part with their furniture and their clothing, and both they and the middle class of tradesmen have, little by little, exhausted all the means they possessed, so that the provident and the improvident have sunk to the same common condition of distress and destitution. The Savings Bank of Manchester is principally resorted to by domestic servants and other classes than those employed in the cotton trade, and does not therefore afford a fair criterion of the distress among the operatives. The cotton operatives are for the most part spirited individuals who look to building clubs as a more eligible investment, who save money with a view of commencing some little business, and who would not accept the low rate of interest of the savings banks. The distressed labouring classes are now asking for a supply of the raw material; they do not want charity; they only ask for the means of prosecuting their labours and obtaining a subsistence for themselves. I trust that the Government will do something to obtain from our vast colonies an increased supply of cotton. There are many colonial dependencies from which it might be obtained—Australia, the British West and East Indies—and I trust that a year or two will put us in possession of a largely increased supply. There is a prospect of a sufficient supply of cotton being obtained to enable the operatives to work half-time during the ensuing year; but it must be remembered that the inferiority of Indian cotton is so great, that even if they work half-time, the operatives will not be able to earn more than one-third their usual wages. I trust that the producers of East Indian cotton and the authorities of India will be induced to exert themselves, not only for the benefit of the ryot, but of the labouring classes of Lancashire. I may be permitted to refer to the great difference between our cotton trade in 1860 and that in last year. The exports of cotton to all parts of the world were in 1860 £56,000,000 sterling, while last year they only reached £37,000,000 sterling. This is a frightful diminution; but the money value of the exports is not a correct indication of the diminution in trade, because, as the price is somewhat increased, quantity and not value is the more accurate test. The fact is, that last year only half the usual quantity of cotton was manufactured. The textile exports of 1860 consisted of two-thirds of all the exports, of which cotton manufactures supplied much the largest portion. So that the importance of the trade in a national point of view is greater than those of iron, woollen, linen, and silk put together. It is true that the industry of the country was generally in a prosperous condition, and that the cotton trade is the only branch of industry under a cloud. The iron trade, the woollen trade, the linen trade, and the silk trade are all in a state of considerable activity; and if the cotton trade had remained in its ordinary state, there would have been almost too much prosperity for the kingdom to bear with temperance and moderation. In our distress, generous contributions have flowed in from all classes and from every part of the kingdom; but it is only justice to the manufacturing districts to state that up to the end of last year they had contributed very nearly one-half the total amount raised for the relief of the distress. The manufacturing districts have contributed £260,000 for this purpose, besides supporting a multitude of persons at a cost that had never been published. The other parts of the country have contributed £275,000; the colonies £53,000; and from foreign countries the sum of £5,000 had been received. It is with great pleasure that I state that the contributions of the North American States have been most liberal, that they have been received in the manufacturing districts with the greatest satisfaction, and that the utmost gratitude has been expressed for the supply of food which had so timely arrived. I congratulate Her Majesty's Government that they have at length achieved a commercial treaty with Belgium. I know how great are the difficulties that have to be overcome in concluding commercial treaties; but the example which was so beneficially set by the commercial treaty between England and France, having been now followed with respect to Belgium, I hope that the President of the Board of Trade, and the other members of the Government, will do everything in their power to extend these beneficial arrangements to the other countries of Europe. In respect of the French Treaty, I do not know how too much can be said in its praise. The advantages derived from the treaty of commerce with that country have nearly compensated for the loss of our American trade. In the year previous to the commercial treaty with France the value of the exports to that country amounted only to £4,754,354, but in the first year after the treaty it was no less than £9,901,179. And here I am glad to acknowledge the gratuitous services rendered by my hon. Friend the Member for Rochdale (Mr. Cobden). No greater triumph has ever been achieved by any individual than has followed from my hon. Friend's efforts in bringing about this treaty. I hope the same enlightened policy will spread, and that the nations of the earth will derive the benefit. It will be a satisfaction to the country to see that the Estimates are to be framed on a principle of strict economy. A prospect of a reduction of expenditure at this particular juncture would be most welcome to the country. I trust that Her Majesty's Government will strain every nerve to reduce the public burdens and to make the taxes fewer and lighter to the people. At this particular time—and in the manufacturing districts in particular—the people could ill bear the burden they have to sustain, and I therefore trust that we may have fewer exactions made upon us. I cannot here avoid expressing my trust, that as the labouring classes have conducted themselves with such extreme propriety under extreme suffering, when the day comes for Parliamentary Reform their conduct will not be forgotten. I think it only an act of justice to state that that is my hope, and I believe it is the general wish of the country that the suffrage should be extended in some degree to the operatives in the manufacturing districts. The resources of the British Empire are vast—they are immense; in fact, they are wonderful; and I am sure I only express the wish of the House and of the country when I say that I sincerely hope that those resources may be developed to the honour of the Crown and to the great prosperity of the nation. The hon. Gentleman concluded by seconding the Address.

Motion made, and Question proposed, "That," &c. [See page 73.]

Mr. DISRAELI: Mr. Speaker, I am sure that there is no passage in the Speech of the Lords Commissioners which will be received with more complete and more cordial sympathy by this House than that in which the persuasion is expressed by the commands of Her Majesty that this House will sympathize with the sentiments which Her Majesty feels on so interesting an event as the marriage of the Heir Apparent of these realms. Sir, there was a time when Royal marriages were the perplexity of politicians, and it was supposed that by the adroit negotiation of such transactions we might often control and sometimes even change the balance of power. Those times, happily, are for ever passed. But, Sir, it would be, I am sure, a great error to believe that in a country like England, where happily the domestic affections are cherished and venerated, a Royal marriage might not conduce greatly to the power and influence of a Prince. We have seen in our time and in this country what may be the effect in that respect of a Royal alliance. Sir, his Sovereign parent offers to His Royal Highness the Prince of Wales an example which, if followed, will, I am sure, endear him to the hearts of all Englishmen; and, Sir, I am equally confident that at this moment he will not forget that other parent whom a year ago in this House we met to mourn, who built up a Royal hearth on the principle of household love, and who yet, by his refined and profound intelligence, elevated it above the majesty of thrones. Sir, there is another matter in the Speech in which this House must deeply sympathize. I refer to the communication which has been made by command of Her Majesty as to that portion of our fellow-countrymen who have been subjected of late to so great a vicissitude in their fortunes. But, Sir, when we remember the fortitude with which they have endured that visitation, when we remember the spirit with which our suffering fellow-subjects have been sustained, I think there is, if I may so express it, some moral compensation for the material losses; and if it prove, as I hope and believe it may prove, that ultimately this trial may conduce to the sounder and more permanent prosperity of the community, I hope we may be justified in treating this great visitation rather as a misfortune than a calamity. Sir, I will not stop to panegyrize the conduct of any particular class. I will not offer now a needless, perhaps a fulsome tribute of admiration and approval to any particular body of Her Majesty's subjects. What in this terrible trial is of good cheer for England, is the proof it has furnished of the mutual trust and the entire affection that subsist among all classes of Her Majesty's subjects, and which indicate, whatever may be our form of Government, the existence of a real Commonwealth. If even, Sir, that question had not been touched upon in the Speech of the Royal Commissioners to-day, it would have been impossible, on the re-assembling of Parliament, to avoid inquiring what prospect there is of the cessation of this great misfortune. Her Majesty has not felt herself justified in offering to Parliament any prospect of an immediate termination of the causes of these difficulties. I know that there is nothing more difficult than to ascertain the precise character of contemporary events, though all will admit there is no knowledge more valuable to the statesman and the politician. For my own part, I am bound to say that from the first—and subsequent events have only confirmed my conviction—I have always looked upon the struggle which has occurred in America in the light of a revolution, and of a great revolution. Great revolutions, whatever may be their causes, are not lightly commenced, and are not concluded with precipitation. Before the civil war commenced, the United States of America were colonies, and we should not forget that such communities do not cease to be colonies because they are independent. They were not only colonies, but they were colonizing, and they existed under all the conditions of colonial life except that of mere political dependence. But even before the civil war I think that all impartial observers must have been conscious that in that community there were smouldering elements which indicated the possibility of a change, and, perhaps, of a violent change. The immense increase of population; the still greater increase, perhaps, of wealth; the introduction of foreign races in large numbers as citizens, not brought up under the laws and customs which were adapted to a more limited and homogeneous race; the character of the political constitution, consequent perhaps on these circumstances, which became intolerable; the absence of any theatre for the educated and refined intellects of the country, which deteriorated public spirit and lowered public morality; but, above all, the increasing influence of the United States upon the political fortunes of Europe—these were all circumstances which indicated the more than possibility that the mere colonial character of these communities might suddenly and violently be subverted, and those imperial characteristics appear which seem to be the destiny of man. I cannot conceal from myself the conviction that whoever in this House may live to witness the ultimate conclusion of the consequences of this civil war will see, whenever the waters have subsided, a different America from that which was known to our fathers, and from that even of which this generation has had so much experience. It will, I believe, be an America of armies, it will be an America of diplomacy, it will be an America of rival States and manœuvring Cabinets, of frequent turbulence, and of frequent wars. With these views, I have myself, during the last Session, exerted whatever influence I might possess in endeavouring to dissuade my Friends from embarrassing Her Majesty's Government in that position of politic and dignified reserve which they appeared to me to have taken up on this question. It did appear to me—looking at these transactions across the Atlantic not as events of a mere casual character, but as being such as might probably influence America as the great French revolution influenced, and is still influencing, European affairs—that there was on our part due to the existing authorities in America a large measure of deference in the difficulties which they had to encounter. At the same time it was natural to feel, what I would not attempt to disguise, great respect for those Southern States who, representing a vast population of men, were struggling for some of the greatest objects of existence—independence and power. It appeared to me that the course which Her Majesty's Government had apparently resolved upon was one which, on the whole, was honourable to this country, and would prove beneficial to all classes of the community. I was therefore surprised and, individually speaking, somewhat mortified, when I found that in the course of the autumn Her Majesty's Government commissioned one of their Members to repair to the chief seats of industry in the country to announce, as I understood it, an entire change in the policy which they had throughout supported and sanctioned. It was not an accident; the declaration was made formally, and it was made avowedly with the consent and sanction of the Government. Now, Sir, what did that declaration mean? If it meant anything, it meant that the Southern States would be recognised; because, if it be true that they have created armies, navies, and a people, we are bound by every principle of policy and of public law to recognise their political existence. It appeared to me that upon the face of that declaration there was a great inconsistency. I thought that a course of conduct was then recommended by the Government which nothing had occurred in the interval to justify. It is most inconvenient that, upon a subject of such importance, and upon which the Government appeared from the first to have taken up a correct and dignified position, Her Majesty's Ministers should have exhibited such contradictory conduct and such conflicting opinions, and that during the autumn they should have felt it their duty to communicate this vacillation of purpose and this inconsistency of judgment to the whole nation. At the commencement almost of the struggle we were told by one Minister, who, above all, ought to be best informed on these topics—namely, the noble Earl the Minister of Foreign Affairs—what in the opinion of the Government, were the motives of this civil war. We were told that on the part of the North there was a desire to establish dominion, and on the part of the South to achieve independence. It may have been perhaps indiscreet on the part of the Government to make that public declaration of their opinion; but what are we to say of the subsequent definitions of this contest which have also been supplied by the Government? It is only a fortnight since one of the Cabinet Ministers told us that the whole cause of this war was the existence of slavery, and he vigorously denounced it as a pestilent institution. What agreement is there, then, between the President of the Board of Trade, who spoke but a fortnight ago, and the Foreign Minister, who ought to be the highest authority on matters of this character? What are we to say when one day we find an eminent member of the Cabinet recommending the recognition of Southern independence, and the next day another equally important colleague telling us that none of the conditions on which independence should be recognised exist in the Southern States. These varying opinions are so prevalent among the members of the Government that only a day or two ago one of them, not yet admitted to the Cabinet, but whose lips are steeped in the gravity of the Privy Council, told us that in the opinion of the Government the "Lord of Hosts was on the side of the Southern States." Sir, I think it is very much to be regretted that the Government did not adhere to that reserve which distinguished them last Session upon this subject, and that it is much to be regretted, that unless a change has taken place in their policy, there should not have been more silence during the recess as to their individual opinions.

But whatever may have been the disinclination of Her Majesty's Government to interfere in the conflict between the Northern and Southern States, there does not appear to have been any objection to interference in other States. So far as we can judge of the state of affairs, they have employed the autumn in interfering in almost every part of the world, except America. Their objection, therefore, to interfering is not an abstract one. We are promised in the Speech of the Royal Commissioners papers in reference to Greece, Italy, and Denmark. I should say that on all those subjects papers are very necessary; they may throw some light upon transactions and communications which certainly startled and perplexed us during the recess. But there is one country which is not mentioned in the Royal Speech, respecting which I should be glad to get some information and some particulars as affecting the popular question of the day—non-interference—and that is China. I wish we had a more accurate, or rather, I should say, a more precise idea of what our relations are with the Chinese, and what is going on with the Chinese, than seems to be in the possession of Parliament, and I wish we could command more knowledge on the subject than is to be obtained from the Royal Speech. So far as I can judge from the communications which arrive by every mail, there is constant fighting going on in China, and that fighting appears to be supported in a great degree by our fellow subjects. By one mail we learn that a British Admiral is severely wounded. Another mail informs us that an English Colonel has been killed. A great deal of slaughter is occasioned by causes at present unknown to us. But in the recess there was a communication made to the public by a member of the Government on the subject of China, which was of a startling character. There was a meeting of a scientific society, the Geographical Society, and it was attended by some very distinguished officers in Her Majesty's service, and these officers informed the meeting that they were going to China, having been engaged by the Emperor of China, to enlist their fellow subjects to fight in his behalf—in fact, another Spanish Legion. That was a communication which created a considerable effect, and there seemed some doubt on the part of the eminent chairman whether it could be depended upon; so, seeing a member of the Government present, he ventured to appeal to the right hon. Gentleman whether there was any authority for the statement made to the meeting, and that right hon. Gentleman rose and said it was perfectly true; he entirely agreed in the operations and enterprise, and wished all success to the gallant Englishmen who were enlisting their countrymen to fight for the Tartar dynasty of China, and he trusted that they would completely accomplish their object. There is, then, war in China. Officers in Her Majesty's service are enlisting British subjects, in order to interfere between the Emperor of China and his rebellious subjects; and I want to know whether that is a policy which the House approves, and whether they do not think it requires some explanation? Let me remind the House that about twenty-five years since our Chinese policy commenced. The noble Lord, the present First Minister, may be said to be its author. It began by attempting to put down the Tartar dynasty, and the noble Lord when informed by the late much respected Sir James Graham, then a Member of this House, that the population of China was very considerable, nearly half the population of the globe, and that it was not so very easy to put down a Government commanding resources of such magnitude, said it was very true the population consisted of about 300,000,000, but half the population consisted of secret societies; that the great body of the subjects of the Emperor of China were discontented with his Government, and he was confident they would have support of which the House had no knowledge; the Government was well informed, and the House might depend upon it the war would be successful. The war was successful. It was successful in developing ever since these secret societies, which have taken other names familiar to the House. Twenty-five years have elapsed, and the noble Lord who made war against the Tartar dynasty is now supporting the Tartar dynasty and making war against these rebellious subjects of the Emperor of China. We have completely changed our position. We are making war against the Taeping insurrection. There has been a great controversy in this House as to the origin of the insurrection. Who are the Taepings? What are the Taepings? Sir, I maintain that we have nothing to do with the Taepings. Whether they are patriots, or whether they are brigands, is nothing to the people of England. The status of the Taepings is a question for China, not for England; and if we attempt now in this illegitimate and roundabout manner to support the Tartar dynasty, we shall ultimately be involved in another Chinese war for a different object and on a different side from that which we have hitherto taken. I say it is a matter of great importance, at a moment when we hear for the first time of a reduction of public expenditure, that we should not get involved again in a China war. Chinese wars have been one of the most considerable causes of financial embarrassment in this country, and have led very much to that increase of taxation against which we have heard so many murmurs lately. We are promised in the Speech a reduction of the public expenditure, and no doubt it will not be inconsiderable, or it would not be announced in a Speech from the Throne. I am extremely glad to hear it. I ventured last year, knowing what must inevitably occur, to call the attention of the House to our expenditure. We were then told retrenchment was impossible, because if we retrenched, we should be subservient to France. I am happy to hear now that retrenchment does not involve subserviency to a foreign Power. But if we want any real retrenchment, it is not by a careless and hasty cutting down expenditure, which possibly may be necessary; it is by taking care that our policy is a policy which does not lead to expenditure. Chinese policy and some other policies lead to expenditure, and we must take care to check such a policy if we want any reduction which is not mere moonshine. We hear a great deal of the frugal Government of the Duke of Wellington. The Duke of Wellington was not a Prime Minister who would have starved the army. The Duke of Wellington, it is well known, had an equal admiration and feeling for the other branch of Her Majesty's service. It is quite clear the army and navy under the Duke of Wellington would be in an efficient and complete state. We are told that in those days we had not the Empire which we now possess. We have some colonies which we did not possess in the days of the Duke of Wellington, but I believe that the colonial expenditure then was greater than it is now, because those considerable changes in the government of colonies, which have led to a reduction of expenditure, had not then been carried into effect. Therefore the Duke of Wellington had a great army and navy to maintain, and our establishments abroad and our colonies, and yet was a frugal Minister. Why was he a frugal Minister? Because he did not follow a diplomacy of intrigue—because his policy was a truly Conservative policy. It was not a policy of sensation. It was not a policy of surprise. Such a policy may suit Continental nations, where public opinion only takes in the consideration of external affairs. Such a policy may suit new dynasties; but a diplomacy of intrigue and a policy of sensation and surprise are not necessary for a country like England, where liberty and industry occupy sufficiently the energies and minds of the people, and where we are blessed with a Constitution deeply rooted in the convictions of the country and supported by the traditions of centuries. It is necessary clearly to understand this. Let it not be supposed that because we advocate a frugal and economical administration of the public funds, we are opposed to an efficient state of the public service or the maintenance of those establishments abroad which are necessary to maintain our position; and let it be remembered that the inevitable result of a restless policy must be an expenditure very incompatible with the permanency of the reductions which are now promised us.

Well, we are to receive these papers on Denmark, Italy, and other places. I will wait until they are before us before I touch on those subjects, certainly

before I touch on the subject of Denmark. I may say I think with due humility that Denmark is a subject of which I am not entirely ignorant. I remember in the year 1848 taking the liberty of bringing the subject of Schleswig-Holstein before this House, and I was supported at least with the sympathy of the present Secretary of State for Foreign Affairs, and I think by a speech from the noble Lord the First Minister. I will not venture to introduce that subject on this occasion. Not being entirely ignorant of it, I will venture to say of the Schleswig-Holstein question that it is one which few understand and none can explain. Who, then, could have supposed that the noble Lord the Secretary for Foreign Affairs would, during the recent autumn, when we supposed him to be in the enjoyment of that relaxation which I am sure nobody could have grudged him, have thought it discreet and necessary to revive this interminable question—that he should, at a moment when there were so many other points of importance to engage his attention, have deemed it his duty to write a despatch into the merits of which I will not now enter, but of which I must be permitted to say this, that it laid down doctrines apparently contrary to the policy which the noble Lord advocated when he was the most responsible Minister of the Crown? Now, I will hardly make a remark upon what occurred at Rome, because I imagine we must have some information on the subject. I deem it but right, however, to remind the House that two years ago, on an occasion when I thought it my duty to speak in reference to some of our relations with Italy, suggesting that the settlement of the Roman question might not be found to be so easy as some hon. Gentlemen seemed to suppose, I added, that the question of the residence of the Pope was not one to be disposed of offhand; that it was one which involved his independence, one which was equally interesting to Protestant as to Roman Catholic States, and peculiarly interesting, as had always been held by our greatest statesmen, among Protestant States, to the Sovereign of the United Kingdom. I also ventured to say that the selection of the country in which the Pope should take up his permanent residence would, before it could be arrived at, result in considerable and distressing misunderstanding.

What did the noble Lord the Foreign Secretary, who was then a Member of this House, say on that occasion? He said that the fears to which I gave expression were merely imaginary, and that I contemplated the occurrence of contingencies which would probably never come to pass. Now, however, although twenty-four months have not since elapsed, we find Roman Catholic and Protestant Powers in active competition on the very question where the Pope is to take up his residence and under whose influence he is to remain. I shall postpone adverting to the more important considerations connected with this theme until another occasion, but I thought it my duty to remind the House to-night of the remarks which I once made on the subject, and which have been completely justified by the event. Something will, I take it for granted, appear in the papers to be laid on the table which will explain, or at least mitigate, the alarming and intolerable absurdity of the position as it now presents itself to impartial observers. Well, the noble Lord, in this mellow harvest of autumnal indiscretion to which I have been alluding, was not content with disturbing the waters of the Baltic, but appears to have been very active in the Mediterranean; and here, I think, we arrive at a point in reference to which much information ought to be expected from Her Majesty's Ministers. Controversies have often taken place with respect to the foreign policy of the noble Lord at the head of the Government. Very different opinions prevail on the subject, and very different descriptions are given of it. Sometimes the foreign policy of the noble Lord is called spirited, sometimes it is pronounced turbulent. Sometimes the noble Lord is described as the incarnation of Liberalism; at other times he is denounced as the ready tool of any despot, provided only the despot be powerful. We shall, I suppose, have some information in a few days respecting the incredible intelligence which has within the last few hours reached us relative to the conduct of the Government in the case of Brazil. But, be that as it may, there is one point on which the noble Lord has been fortunate enough not to have been misconceived in the course of his life—a destiny which awaits few eminent men. The noble Lord, at all times and on whichever side of the House he happened to sit, has had the credit of being a consistent and determined and most able supporter of the independence of the Turkish Empire. The noble Lord maintained not only that this independence was of the utmost importance to this country, but went much further, and contended that the resources of Turkey, if they had but fair play, were amply sufficient to uphold her integrity and independence, without the ultimate assistance and contrivance of Foreign nations. The noble Lord was, in short, supposed by some to have taken even an exaggerated view of her case. He opposed, for example, with great warmth and ardour, the undertaking of a French gentleman to effect the penetration of the Isthmus of Suez. That the noble Lord deemed to be an enterprise dangerous to the Turkish empire. It would, he contended—to use his own expression—cut the territory of the Sultan in two; and he offered, therefore, to the project his strongest opposition. When he took that course, the present Secretary for Foreign Affairs dissented from his view of the question. He was in favour of penetrating the Isthmus, and he gave expression to many opinions which were considered quite heretical by those who took up the same view of the matter as the noble Lord opposite. When, therefore, the present Government was formed, and the noble Lord made choice of the present Secretary for Foreign Affairs to fill the important office which he holds—the very statesman who seemed so widely to differ from him as to the expediency of maintaining the existence of the Turkish empire—great anxiety was felt among some of those by whom the opinions of the First Minister on the subject were shared. But in the course of this extraordinary autumn an opportunity presented itself to the noble Lord the Foreign Secretary to relieve the public mind of Europe and Asia from all anxiety with respect to it—an opportunity, which perhaps no Minister has had for a considerable time, of in the most formal manner expressing the policy of the Government on this vital question of the maintenance of the Turkish empire and the general disposition of political influence in the Levant. It so happened that shortly after the House rose there took place in Turkey a series of what I should term artificial insurrections—I mean insurrections got up by foreign agents and patronized and paid by foreign Governments. One of considerable importance took place in Montenegro. That insurrection was put down promptly and effectively by the Porte, and the Minister for Foreign Affairs at St. Petersburg, who was supposed—perhaps unjustly—to be a very enthusiastic patron of the Prince of Montenegro, generously wishing to cover his discomfiture and retreat, wrote a despatch to our Government in which he complained of the hard terms which the Sultan exacted from the conquered rebels. Now, I do not think there was any necessity to answer that despatch. That, however, is of course a matter of taste, and the Secretary for Foreign Affairs is not a Minister who passes over an opportunity of writing a letter, as we all know. He did, at all events, answer the despatch in question, and very conclusively as to the immediate point of complaint, because he said he did not think the terms were more severe than any conquering Power would, under the circumstances of the case, have exacted. He, however, went further, and said he would take the opportunity of entering into the whole question of our policy with regard to the Turkish empire. Now, all temperate men are, I suppose, anxious for tranquillity in the Levant, as of importance, not only to English but to European interests. That desire is at the same time consistent with the belief that in the case of the subject races of the Porte there should be at least progress, and, for all we know, ultimate independence. The Secretary for Foreign Affairs was, however, not at all satisfied with this moderate opinion. He accordingly laid down in his despatch, as an absolute alternative, that the Turkish empire must be maintained, or that the subject races—Slavonian and Greek —would be involved in internecine struggles; and that finally, after cutting each other's throats, the country would be partitioned, and that the partition would probably lead to a general war. Not satisfied with this—the despatch is dated the 27th of September, 1862, only four months ago—the noble Lord warns these poor Slavonians and Greeks, representing many millions of an industrious population, that they are not to indulge in what they call great ideas. He says to them, "You aim at terminating your allegiance to the Porte and ultimately reviving the Greek empire, but these are views which we shall never tolerate. They must end in general disaster. They are views which will lead not only to the destruction of the Porte, but which will subvert every other throne in Europe." Well now, Sir, a few weeks after this a revolution occurred in Greece, and one of their first steps was to elect an English Prince for their Sovereign. What encouragement the Greeks had to elect an English Prince of course it would not now be convenient to inquire. From what reaches me, I apprehend, however, that that subject will sooner or later occupy the attention of the House of Commons. We were told to-day by Her Majesty's Speech that the diplomatic engagements of Her Majesty's Crown prevented the acceptance of the throne of Greece by Prince Alfred; but if that was the case, why were the Greeks kept in suspense?—a suspense most injurious and most trying under the circumstances in which they found themselves. Diplomatic engagements are precise and positive; they are not engagements more now than they were four months ago. Therefore, this is a passage in the conduct of Her Majesty's Government which requires some elucidation. But that to which I now wish to call the attention of the House is the extraordinary circumstance that about the same time the Secretary of State for Foreign Affairs—who is opposed to creating any ideas amongst the Greeks of extension of their borders and increase of their territory, to the destruction of the Turkish Government, and ultimately, perhaps, to the convulsion of Europe—should have taken that opportunity to announce the intention of Her Majesty's Government greatly to increase the territory of the Greeks, and that in a very peculiar manner, by reducing the territories of Her Majesty. Upon this subject I hope that we may receive some information to-night. I know that we are told that public opinion has decided in favour of the cession of the Ionian Isles to Greece. I think that the gradual and mature opinion of an enlightened and inquiring people ought to receive the vigilant attention of an English Minister, and should greatly influence his conduct, but I deny that the gabble of clubs is public opinion, or that public opinion is the irresponsible chatter of a desultory multitude. Public opinion upon such a question as the cession of provinces cannot be formed except after mature inquiry, with ample knowledge and the grave deliberation which becomes Cabinets and Parliaments. We are told that this is no cession of territory whatever —merely a resignation of a Protectorate intrusted to us under the treaties of 1815. This is very dangerous ground to take; and I most earnestly recommend the House to pause before they accept representations of this kind. The treaties of 1815 intrusted the Ionian Isles to England about in the same manner that they intrusted Paris to the French people. Both parties previously possessed what was intrusted to them. We possessed the Ionian Isles before the treaties of 1815, and it becomes us to consider how we possessed them. We possessed them by right of conquest, and the question immediately arises why were they conquered? You do not conquer places out of mere wantonness or for amusement. The Ionian Isles were conquered because the great men to whom was intrusted the duty of guarding British interests and maintaining British power in those waters represented most earnestly to the English Government that they could not accomplish their behests so long as these insular harbours were in possession of our powerful rival and enemy. It is, or it should be well known, that the occupation of the Ionian Isles by the French was part of the secret negotiations of Tilsit, and it was only in consequence of an arrangement with Russia, before war was declared between that Power and England, that French troops were landed from Russian ships on these Islands, where the injurious influence exercised by them during the war upon British shipping and British interests was so great that no less a man than Lord Collingwood impressed upon the British Government that it was absolutely necessary that these harbours should be in our possession. And they were in our possession. Corfu was not seized in a military sense, but six of these islands, including Cephalonia, which was described by Sir Charles Napier—no mean authority on this or any subject—as possessing the most considerable harbour in the Mediterranean, had been conquered, and had been even years in the possession of England at the time of the peace. And why was not Corfu in our possession? Why, Corfu was a thorn in our side. We had not succeeded in taking Corfu, but we had strictly blockaded it; and when Napoleon suddenly fell, the French surrendered it to England by a military convention. It was in every sense a military surrender, and therefore, when the Congress of Vienna had to deliberate upon the settlement of Europe, we were in military possession of these islands, which we had in fact conquered and occupied, because in the possession of our enemy we had found them most injurious to our power and our interests. The noble Lord proposes that these islands shall now be given to Greece. See what is the effect of that! You are favouring that very policy which, on the 27th of September of last year, the noble Lord denounced with, I think, such unnecessary warmth in his despatch to Prince Gortschakoff. You are increasing the resources, the population, and the wealth of Greece. What interpretation the Greeks put upon this cession you may learn from the meeting which immediately took place in Corfu, and in which they, to use a phrase well understood in this House, intimated to you that they accept the Ionian Isles as an instalment. You are encouraging them to aspire to the possession of Albania, Thessaly, and other provinces, and to develop that great idea which the noble Lord the Foreign Secretary says is full of such fatal consequences, commencing with an attack upon the integrity and independence of the Turkish empire, and bringing about possible partition and certain war. It may be right to do all this, and this is not the occasion on which to enter into a discussion as to what our policy ought to be; but let us clearly understand that Her Majesty's Government are now following a policy different from that which they have hitherto pursued upon the Eastern question. They have changed their course. It is not the policy which the noble Lord has always upheld in this House with regard to Greece; it is not the policy which the Foreign Secretary only in September last advocated in such burning terms in his despatch to Prince Gortschakoff. You are entirely changing your course, and you are encouraging the Greeks to occupy that position and to pursue that career which you have denounced as most injurious to the interests of England, and perhaps hostile to the tranquillity of the world. It is said that the Government will not give up these islands without conditions, but the very fact that you are going to exact conditions proves that you ought not to give up the islands; because if the surrender can only be made upon conditions, it proves that the surrender without conditions would be injurious. And then what security have you that your conditions will be fulfilled? What are your conditions? To my mind no Minister ever plunged into a deeper abyss of absurdity. Your conditions are that Greece shall have a constitutional monarchy, and at the same time shall not disturb her neighbours. But what is the immediate result of a constitutional monarchy? A constitutional Government immediately produces parties, and is it not quite obvious that the principle upon which the Opposition, or as it will then be called "the Liberal" party, will be formed in Greece, will be the extension of the territories and carrying out the great idea? And therefore when the noble Lord talks of conditions, his conditions will perpetuate the very conclusions which he opposes. If this be true, then, so far as regards Greece, you have changed your policy; so far as regards Greece, you are pursuing a policy which will produce results which you yourselves have deprecated and denounced. So much as to your policy upon Greece. Now, what is its influence upon England? I have shown the House that these islands were taken by us because their possession by an enemy was injurious to our interests, and therefore it is quite absurd to maintain that their possession by England is not conducive to our interests. It is idle to meet us by arguing the case on a technical term and to tell us that we are not the possessors of the islands, but only the protectors. You might as well say that the treaties of 1815 made Prussia the protector of the Rhine, and not the possessor, because the Rhine was given to Prussia for the specific purpose of making a barrier against France; you might as well say that the Italian provinces were only intrusted to Austria for the common good of Europe, as was alleged at the Congress; but Prussia and Austria believed, and believe, that the possession of the Rhine and of the Italian provinces contributed to their power, or do you think they would have retained them? We are told that we are only protectors. Are difficult questions like the cession of a province to be settled by technical special pleading such as this? I am sure the House of Commons will never sanction such a spirit of dealing with public interests. Within the last twenty-five years the route to our Indian possessions has been changed; and, whatever the intention of the treaties of 1815, the country has been constantly congratulated on having a chain of Mediterranean garrisons, which secured our Indian empire. I am perfectly aware that there is a school of politicians—I do not believe they are rising politicians—who are hostile to the very principle of a British empire. But I have yet to learn that Her Majesty's Ministers have adopted the wild opinions which have been prevalent of late. Professors and rhetoricians find a system for every contingency and a principle for every chance; but you are not going, I hope, to leave the destinies of the British empire to prigs and pedants. The statesmen who construct, and the warriors who achieve, are only influenced by the instinct of power, and animated by the love of country. Those are the feelings and those the methods which form empires. There may be grave questions as to the best modes of obtaining wealth—some may be in favour of protection of domestic and colonial interests, some of unrestricted competition, or some, of what I am quite surprised has now become so modish—commercial treaties and reciprocal arrangements for the advantage of commercial exchange — propositions which used to be scouted in this House; but there can be no question either in or out of this House that the best mode of preserving wealth is power. A country, and especially a maritime country, must get possession of the strong places of the world. I have heard no argument to justify the course Her Majesty's Government has hitherto pursued, or the expectations they have held out relative to the Ionian Islands. The language of the Speech leads me to hope that the arrangement alluded to is by no means matured. As far as I can understand, from what I have read in other places, a considerable period must elapse, under any circumstances, before that arrangement is effected; and in that time much may happen. You propose to give these settlements, which have been fostered by the power of England, and which abound in wealth and public spirit, to the Provisional Government of what at present certainly is a distracted country. Whatever the present posture of affairs, I trust we shall not precipitately adopt a policy which appears to me to have been taken up with some caprice, and may lead to serious consequences. The noble Lord will have an opportunity of informing us as to the intentions of the Government. I understand that we are not at all pledged by the mode in which the Address is framed to give any approbation to the policy indicated in the Speech. With that feeling, I shall, of course, offer no objection to the passing of the Address. But after the formal announcement which has been made I felt it my duty to throw out these suggestions to the House, to show that the question is not one of that simple character which some are apt to suppose—that it may lead to very dangerous consequences, and involve some of the gravest considerations that can possibly be brought before public men.

Colonel SYKES said, he was sorry to say his Indian experience inclined him to strengthen the doubts which he had formerly expressed regarding the likelihood of a perennial adequate supply of cotton from that quarter, and he expressed these doubts in the interests of the helpless operatives in Lancashire, lest the generous public might relax in its efforts to mitigate human sufferings, which, if left to themselves, might give rise to dangerous results. He must warn the House that the present supply, he feared, was only spasmodic, as, owing to the high prices attained in the Liverpool and Manchester markets, the whole of the cotton ordinarily used in India for domestic purposes was finding its way to this country. But was there any reason for believing that the field of culture had been in any great degree enlarged? For the most part in India the cultivators were also the proprietors of the soil, whereas in this country tenants were bound usually by their landlords to a rotation of crops; the Indian farmers were absolutely unfettered by any analogous regulations, and the Government had no power of interference. In case the cultivator thought he could profit more by raising cotton than sugar, indigo, oilseeds, or the cerealea, he might be induced to do so; but otherwise the ordinary instincts of man told us that he would not sacrifice his own interests to the wishes of others. There was no doubt but that India, with its area of 1,488,070 square miles, possessed diversities of soil and climate adapted to the production of all the ten known species of the cotton plant, but whether the farmer would engage in their cultivation depended upon remunerative prices in Europe; and as long as the present prices lasted in Europe, a good deal of cotton would come from India, but he feared they could not flatter themselves that the turning point in Lancashire distress had yet been reached. His hon. Friend the Member for Manchester (Mr. Bazley) had said that we were at peace with all the world. But what was the fact? We were actually at war, contrary to our professed neutrality, with nearly one-third of the Chinese empire, at least a hundred millions of people. The cost of the position which the English Government had taken up in China was not less than £1,000,000 per annum, and the cost of our past Chinese wars, according to the Chancellor of the Exchequer, was seven million five hundred and fifty-four thousand pounds, which enormous sum had been spent to compel the Chinese to legalize the traffic in opium for the benefit of the East Indian revenue and the amassing of *millionaire* fortunes for individuals. The Tartars and the Chinese had been in hostility for the last two centuries, and secret societies had been in constant action in China against the Tartar or Foreign Government. The indigenous Chinese or Taepings, who are now at war with the Tartar Government, were men who professed Christianity, who asked the British nation to accept their friendship, and who had shown that they knew how to conduct trade, notwithstanding the statements of his hon. Friend the Under Secretary for Foreign Affairs. The truth was, there had been a systematic suppression of all that was favourable to the Taepings and an exaggeration of all that was damaging. It was a fact that since these insurgents had been in possession of the districts from which green tea and silk were obtained, 20,040 bales of silk for the year ending October 31, 1862, had been exported from Shanghai in excess of the usual quantity. That was effected by European agents traversing these so-called desolated districts with money in their hands wherewith to make their purchases, and they were protected and encouraged by the Taepings. This fact alone illustrates the *animus* that prompts the statement that they are universal desolators. We were now drilling the Tartars—putting arms into their hands, and supplying them with shot and shell, allowing foreigners to command them, and the chances were, from their past perfidy, that they would take an early occasion to turn these arms against ourselves. It was alleged that it was a mockery to call by the name of Christianity the religion which the insurgents professed, and it was said that they ought to be exterminated as blasphemers and desolators. Much blood had been shed, and the Taepings had been overwhelmed by our shot and shell, yet they had never retaliated, though provoked by acts at which humanity shudders. He would read an extract from a letter from Shanghai, which he had received by the last China mail—

> "S—— told me that he was at Tsingpoo at the capture, and had to hold the heads of fourteen women whose throats were being sewn up. There were many more, but he held the heads of fourteen with his own hands."

Sir, said the hon. Member, this is but a microscopic illustration, so to say, of the gigantic horrors that have occurred in our Chinese wars; and the blood both of Tartars and Taepings is reeking up to Heaven in judgment against us. The House was told that the Taepings were blasphemous, and that their Emperor was especially blasphemous. But he (Colonel Sykes) held in his hand the first copy which had reached England of a Taeping Bible and Testament. It had been printed at Nanking, by order of this so-called "blasphemous Emperor," and had his Imperial seal upon it, who thus at all events gave his followers an opportunity of judging of his pretensions. All the books of the New Tetsament were complete, and of the Old Testament the Pentateuch was also complete. The translation was the work of one of the ablest of our Chinese scholars, Gutzlaff. So much then for the blasphemous character of the Taepings. With regard to the Tartar boy Emperor, his authority, or rather that of Prince Kung, did not extend far beyond the walls of Pekin; and of this we had a patent illustration by tea boats being stopped above Hankow, and double duties levied, contrary to treaty; which provoked the exploit of Lieutenant Poole, in the gunboat *Havoc* (appositely named), who not only released the tea boats without paying any duty at all, but brought away as prisoner the custom-house officer of Tan-kau, and seized the Mandarin and Imperial war junks! Yet we were engaged in supporting Prince Kung. At Shanghai we collect the customs duties, and they ought to be sent either to the Emperor at Pekin, or to the local viceroy. But they were instead used in paying Mr. Lay his £4,000 or £5,000 a year, and his forty-one European custom-house assistants; in purchasing gunboats and munitions of war in England, and in paying Captain Osborne and British officers to go out as mercenaries If we went on as we had been doing, we should become the rulers of China, as we had become the rulers of India; and how would that be regarded by France and Russia? We should inevitably get into disputes, if not into hostilities, with those countries. He was very glad the question had been raised by the hon. Member for Buckinghamshire, and he hoped that during the Session a definite vote of the House would be taken on the subject.

LORD ROBERT MONTAGU said, that the hon. Gentleman the Mover of the Address had in his speech shown a strong sympathy with the Southern States of America, defended the institution of slavery, and manifested his dislike to the Northern States, his hatred of popular institutions, and his aversion to liberty. The speech of the Mover of the Address was, it was well known, always inspired by the Government; in this case it was of course suggested by the Tory Leader of the Radical party. There was one thing that surprised him in the Royal Speech, and that was the announcement of a reduction of expenditure. He was surprised, because, remembering the antecedents of the Government, he had never expected any reduction in the Estimates. He must confess that he was offended at the tardiness of this act of justice; for the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) had shown last year that the expenditure might have been reduced by £5,000,000; many other hon. Members had added their entreaties to the denunciations of the right hon. Gentleman; but Her Majesty's Government turned from them with scorn, and despised both proofs and denunciations. Her Majesty's Government were strong then; but what had happened since? The Home Secretary had nursed and bred up a gang of Thugs, so that it was unsafe to go abroad at night in the metropolis of civilization. The Secretary for India had been threatened with impeachment, and was, it was reported, about to be put in a place of safety, by being stowed away in the pleasant refuge across the lobby. The right hon. Gentleman the Secretary for Ireland was unpopular in that country. The Chancellor of the Exchequer had been disappointed in his revenue. The Secretary for Foreign Affairs had hedged his real opinions with regard to Denmark, he had meddled with Greece, and got into difficulties in America. The noble Viscount still held the undulating reins of power, but it was with the feeble and senile grasp of a palsied hand. The hon. Mover of the Address had stated that a surplus was anticipated. If there was a surplus, it would be the first that Her Majesty's Government had had to boast of. He (Lord Robert Montagu) however anticipated not a surplus but a great deficiency. It must be remembered, in the first place, that last year had been a very bad year; this was then taken for an excuse; it may not be used as a foil to this year. The Revenue must always be compared with the Estimated Revenue. The total Estimated Revenue was £70,190,000. Three quarters of this was £52,642,000, while the actual receipts in three quarters of a year had amounted to only £51,389,000, thus showing a deficiency of a million and a quarter in three quarters of a year. In 1858-9 there was an expenditure of £60,961,315, and a surplus of £813,401. In 1859-60, when the Estimates were also prepared by Lord Derby's Government, there was a surplus of £1,587,379. But in 1860-1, under the Government of that financial reformer the noble Viscount, the expenditure was £68,354,611, and there was a deficit of £2,558,384. In 1861-2 there was another deficit, to the amount of £2,412,006. What was taken out of the pockets of the people in 1858-9 was less by £4,000,000 than in 1861-2—a year in which there was misery in Lancashire, want in Warwickshire, and starvation, he believed, in Ireland. The expenditure in 1860-1 was eight millions greater than in 1858-9, which increase was owing chiefly to naval and military expenditure. In the years 1858-9 the surpluses amounted to two millions and a half. In the two succeeding years, under the noble Viscount's Government, there were deficits to the amount of five millions, besides which the Exchequer balances were reduced; while we had anticipated all our extraordinary resources—war taxes on tea and sugar, war income tax, and war duties on spirits. This he would prove to have arisen from the meddling foreign policy of the noble Viscount. Sir Richard M. Bromley said, in his evidence before the Committee on Public Accounts (149)—

> "The last ten years have been an exceptional period; it has been a race for building, a race for getting in stores, a race for getting men into the service," hence "Parliament has lost the control which it had," when the "Votes were of the usual amount."

The hon. Member for Finsbury (Sir Morton Peto), said, in his book on Taxation, that we had spent £150,000,000 more than we should if expenditure had remained as in 1853. The Duke of Somerset (1408) said—

> "The excesses are almost always owing to unforeseen circumstances of an uncertain character—demands made upon the Admiralty for naval force by the Foreign Office, and by the Colonial Office, in different parts of the world."

Afterwards (1522-7) he showed that secret and illegal meddling with other countries was the cause of all this extra expenditure. Mr. Gladstone (1543) said—

> "That in 1853-4 the expenditure of the army and navy ran within certain accustomed channels," while "for the last three years either military operations, or political operations approximating to a military character, have been in progress," so that "the Estimates have ceased to be mere financial questions, and have become political questions of the first order."

He afterwards explained this (1554) by saying that it was difficult to estimate when, the country not being in a "recognised state of war," we "had important military operations in hand;" but that before 1853 "questions ran in an easy and established course." This meddling foreign policy might be traced to another cause, also fostered by the present Government. He alluded to the question of foreign loans, which he had brought before the House last Session. It was reported that we were going to guarantee a debt of five millions for the construction of a railway in Nova Scotia. As the Grand Trunk Railway did not pay, he did not see what benefit the country would receive for raising this money by imperial debentures. Last year this country had lent half a million to Morocco and eight millions to the Porte, and the success of both of these loans was secured by the direct interposition of the Government. There was a loan to Venezuela, the interest of which the consul was to gather; besides upwards of eighteen million in loans to other countries. These loans bring us into unpleasant contact with other nations, and cause this constant meddling and expense; besides which, this money, which goes in unproductive works, is withdrawn from the capital which employs labour. If this money did not go abroad in loans, it could not lie idle, but must be invested in industrial works at home. It might be urged that these loans are private matters; yet the Government encouraged the system, when a Commission was sent to one country; treaties were made with others, mortgaging the customs to the bondholders, and when an ambassador received the interest in one place, and a consul in another. He was sure he would be answered, as he was last year, by hearing quoted Lord Palmerston's Circular to the Representatives at Foreign States—

> "It has hitherto been thought by the successive Governments of Great Britain undesirable that British subjects should invest their capital in loans to foreign Governments, instead of employing it in profitable undertakings at home."

He was glad to be supported in his opinion by the noble Viscount's words; all he complained of was that the noble Viscount did not act up to his words. If he had, we should not have gone to war with Mexico last year for the sake of the bondholders. These guarantees and securities caused meddling; for a security was given only where a debtor had no credit. Now, in the case of a State, how was a security to be realized? By sending ships and armies, and fitting out expeditions. Thus it was that loans caused meddling, while a meddling foreign policy caused expense. He now came to the gravamen against the Government—namely, the proposed dismemberment of the empire. His principal objection to the cession of the Ionian Islands was the suddenness and secrecy with which it had been resolved upon. It was said in excuse that the cause of it was sudden and unexpected—namely, the revolution in Greece; but he contended that Her Majesty's Government must have foreseen that event. No papers had been laid before Parliament to explain it; but the able correspondent of *The Times*—General Eber—who was now in Greece, had pointed out that one of the main causes of the revolution was the disposition of the Government to centralize the whole administration of the country. Centralization, by increasing the number of boards and of paid functionaries, of course augments the expense of the country; while it took from the people all participation in the management of affairs. If this, then, was the cause of the Revolution, it was not sudden. The cause had operated gradually until the crisis or culminating point was reached. Moreover, the Revolution had begun in Thiotis, where "ignorant peasants, and illiterate men, without one political idea," had all shouted for Prince Alfred. They could know nothing of his character; hence their choice was not made on personal grounds. They had not a political idea; and therefore it was not on political grounds. It must have been the result of some intrigue. For revolutionary agents were merely the tools of other Powers; and outbreaks were the anticipated results of intrigues; while the Power who was readiest could possess itself of the passions which were aroused, but which were blind. On this point he could not forbear quoting words used at Sunderland last October, by the Member of the Cabinet who, being the most eloquent, uttered most fully the thoughts of the Government. The Chancellor of the Exchequer had said—

> "And if under peculiar circumstances, in his humble sphere, he had been either a promoter or a favourer of revolution, he did not disclaim the responsibility."

He would, however, not press this point. All he contended was, that the pretended cause or simulated occasion of the cession was not sudden nor unexpected. In former days it used to be the practice to uphold the Constitution, to respect the rightful authority of the Sovereign; and non-interference used to be the Whig cry. The year before last, the astounding doctrine had been propounded by Lord Russell, that a people was at liberty to get rid of its rulers; that the sovereign's authority was not to be respected, nor the Constitution maintained. This was followed by ballot-box hoaxes, and annexation decrees. This year we had gone a step further: a people was not to choose its own rulers, nor settle its own affairs; and yet the Constitution was not to be maintained, nor its sovereign to be respected. But the Great Powers (if there were any such) were to impose a King and overturn a Constitution; while the ballot-box hoaxes were still to be practised. And this bitter dose was to be sugared down by the gift of the Ionian Islands. States before now had intrigued to acquire territory, without waging war, without incurring expense, and without running risks. But he had never heard of a Government intriguing to lose a territory which had been gained by the flow of British blood and by the creation of an enormous debt. What right had the Government to give away, without sanction, that which had cost so much money? The money had each year been spent for some object, which was now to be given away without the nation's consent. What right had the Government to contract the landmarks of the Empire? That which had been received in solemn trust should not be repudiated in secrecy and haste. The duties and liabilities of trustees were not pleasant; they were often costly. But when once a trust had been accepted, it was neither safe nor honourable to shirk it. What was founded on international compact remained binding until we had been absolved by the same authority which was a party to it. And if Parliament had voted supplies on the faith of those treaties (which it had done in 1817), then Parliament also should be consulted before the treaty is broken. However, what he especially objected to was the secrecy and haste which had been used, in order to evade the scrutinizing eye of the House. When the House had separated, no one dreamt that the Empire would have been dismembered, shorn, and clipped, before we had again assembled. If such a step were necessary, it could easily have been foreseen, and advice asked of Parliament. Or if Government had no forecast or prescience, then the House could have been assembled in December. He had always observed, however, that these great events were done in the recess, and were accomplished facts when the House met. With such contempt was the House usually treated; so despised on the part of the Government! He would now notice some arguments which had been used in favour of the cession. The Seconder of the Address had brought forward Lord Russell's despatch of August 1860; or rather that of October 1860, which had proclaimed a disregard of law and constitutional government and a scorn of treaties; that of August had proclaimed the sanctity of treaties, and the divine rights of Kings. Soon after the despatch of October had been published Signor Dandolo demanded that, in accordance with its doctrines, the Ionian islands should be ceded. Lord Russell answered by another despatch, in which he refused, on the ground that we had "paramount interests in the Adriatic." On this point he was questioned in the House just before he left it with a peerage, when he proved in reply that Corfu was "a very important position" to us, because of the danger of an insurrection in Greece, and of an attempt being made to extend the Greek Empire. However, that despatch of October, 1860, did not apply to this case; for the Ionians were not Greeks. Their language was Italian. The Chancellor of the Exchequer had addressed their assembly in Italian; and the Under Secretary for Foreign Affairs (Mr. Layard), on May 7, 1861, had said—

> "If they could assert nationality, might not Malta and Gibraltar do so too? or even some island with which it might be still more inconvenient for us to part? . . . . We ought first to define in what nationality consists. Does it mean identity of race, of language, of religion, and of geographical limits? If identity on all these points were required, the Ionian islands had no right to claim nationality with Greece." [3 *Hansard*, clxii. 1699.]

We had therefore no opening to brag of our consistency, to brag of our generosity to Greek nationalities. Besides, to this desire to do something to brag of, he would apply the old proverb:—"Brag may be a very good puppy, but old Holdfast is a far better dog." We never could persuade other countries that we acted from motives of generosity. For no nation had ever surrendered territory, except on compulsion, or else in exchange for some material benefit. Besides, we piped, but Corfu would not dance. For Corfu resented the notion of being separated from this country. Why, then, should we ignominiously haul down our flag; and let our prestige suffer in the East; where this surrender would be regarded as a sign and symptom of weakness? It was said that the cession of the islands was a financial measure, in order to remedy our state of chronic deficit—to which he had alluded. If that were so, the House of Commons, whose privilege it was to decide on what objects public money should be expended, was, by this measure, being robbed of its control over the expenditure. Again, if the surrender took place merely to relieve our finances, then we certainly had nothing to brag of; we were selfishly consulting our own profit, and foisting off on the Greeks that which it was inconvenient for us to retain. Besides, what saving would be effected? We should not keep one soldier or one sailor the less, after the cession of Corfu. Again, it had been objected that the Ionians were turbulent and discontented, and ungovernable. Yet the Greeks, who could not govern themselves, were not likely to govern those restless islanders better than we could. Again, it was objected that an increase of territory was necessary to the improvement of Greek finances. They certainly were sorely in want of improvement; seeing that for thirty years they had paid no interest on their debt. Yet how an expenditure of £280,000 a year, in keeping up Corfu, would be of advantage to Greek finance was not very clear. If it were answered that the expenditure hitherto made on Corfu were not necessary, it would be an admission that the British taxpayer had been robbed for years to the extent of £280,000 a year. This argument proved too much: for it established this dilemma; either the Government had for years robbed the British taxpayer, or else they would ruin Greece with their baneful gifts. The Greeks had not paid the interest of the loan; yet their financial depravity was to be rewarded by an increase of territory. The Turks had always paid the interest of their debt; and if the boon were to be accorded to any one, it should be to the Turks. The Under Secretary for Foreign Affairs (Mr. Layard), on May 7, 1861, after saying that "in Albania there are very few Greek families," continued, "Corfu is not Greek, but Albanian; and if given up to any Power, it ought to be surrendered to Turkey." [3 *Hansard*, clxii. 1700.] Yet Lord Russell, on the contrary, had empowered Mr. Elliot to treat with Turkey for the cession of Albania and Thessaly. Whereupon *The Times* Correspondent (General Eber) said that this would be "fraught with immediate danger to Turkey," that it would "lead to a dismemberment of the Empire," for that the vassal states would throw off the suzerainty of the Porte. "Hence this negotiation indicates a complete change of our policy in the East." The strategic objection had now to be considered. The opinion of the Great Napoleon as to the importance of Corfu in a military point of view had been contested by the Chancellor of the Exchequer in his evidence before the Committee on Colonial Expenditure. The soundness of the opinion of the First Napoleon on that military matter had been disputed by the right hon. Gentleman; but he had never heard any independent military opinion in conformity with that of the right hon. Gentleman, and it would moreover be hard to invent an argument with regard to Corfu, which did not equally apply to Malta or Gibraltar. The strategic value of Corfu was, however, fully proved by the eagerness with which Corfu had been always seized and grasped by contending Powers in time of war. France had first held it, and it was confirmed to her by the Treaty of Campo Formio in 1797. It was then taken from France and erected into a Republic, by the Treaty of Amiens in 1802. Russia then seized it in 1804, and planted 7,000 troops there; France again seized it, and was confirmed in the possession by the Treaty of Tilsit in 1807; Lord Collingwood took it in 1809, and it was finally put under our protectorate by the Treaty of Paris, of November 15, 1815. The objection might be quite true that distant positions weaken a state; because that the secret of war, as of a battle, was the power of rapid concentration at a single point. But a strong place, which could be held by a small body of men, acted as a diversion, and had the effect of keeping idle a large force of the enemy, which had to be employed in watching it. History showed that this was more especially the case with an island off an enemy's coast; for as the garrison may effect a landing at any point of the coast, an equal number of the enemy must be posted at various positions. This was clearly proved by the memorandum of the statesman Turgot, written for the use of the French King, during our war with our American Colonies. Thus Corfu might threaten the whole coast of the Adriatic; and, if surrendered, would be a menace to Trieste, to Italy, or to the Turkish coast of Albania. In this light the Chancellor of the Exchequer regarded the cession of Corfu in 1861. For after saying that—

> "It would be a matter of great and serious risk to remove the Ionian Islands from the British protectorate,"—

he continued—

> "And I believe it would be nothing less than a crime against the safety of Europe—(I might even say against its immediate tranquillity—as connected with the state and course of the great Eastern question)—if England were at this moment to apply to the Powers of Europe to be allowed to surrender the protectorate of the Ionian Islands for the purpose of uniting them to free Greece. I must confess I think there would be great risk indeed—nay, that it would hardly be compatible with good faith to Turkey, if we were to allow Corfu to become under present circumstances, a portion of the Greek territory." [3 *Hansard*, clxii. 1688.]

The object of Greece in obtaining an extension of territory was merely to carry out the "Greek idea." This was fully proved by the Address of the Ionian Legislature to the Legislatures and Governments of Europe (of March 11, 1861). They used these words:—"The right is practically desired of placing the Cross over the Crescent." And "the first step" (in "the emancipation of the whole Greek race,") is "the restoration of the Seven Islands to Greece." Again, the Deputation to the Lord High Commissioner on December 23, 1862, used these words in the Address which they presented—

> "We add a hope of seeing magnanimous Albion, who now, by the annexation of the Ionian Islands, strengthens the central home of the liberty of the Hellenic race—a hope, we say, of seeing England also co-operate in the future contest which the Hellenes will have to sustain in the East in the interest of Christian civilization."

It was true that certain vague conditions were appended to the promise of cession. But these conditions had been invented a month after the promise had been made. They were as follows:—

> "If the new Assembly of the representatives of the Greek nation should prove faithful to this declaration, should maintain constitutional monarchy, and should refrain from all aggression against neighbouring States."

Now, for how long were they to prove faithful before they were to obtain Corfu? for how long were they to maintain constitutional monarchy? for how long were they to refrain from their projected aggressions? And when Greece had already received the Ionian Isles—if she no longer remained within bounds but fought for her "idea," what would then be our course? How, then, should we coerce her? Should we occupy Greece, while the Russians went to Constantinople, and the French to Syria? Or should we jointly occupy Greece, and quarrel among ourselves in that little corner of the Earth? If we were once to endorse this principle, there would be no end to the claimants and their demands; Jersey would seek a union with France, Gibraltar must be annexed to Spain, and Malta to Italy—unless Malta, indeed, were reserved as a refuge for the Pope when driven out of Rome. The press had been already preparing the way for the cession of Gibraltar. It had been spoken of by the hon. Member for Birmingham (Mr. Bright), whispered in the lobbies of the Cortes, and discussed in the Spanish Chambers. The English are said to be so fond of grasping and having that they swallow down unjust annexations in India. Should we, then, now submit to a cession of territory? Should we lose our hold on a strong place like Corfu, Gibraltar, or Malta, on which we had, year by year, spent so much money? Nay, should we allow it to be handed over slily behind our backs, and ourselves treated with contempt, as if we were not worth consulting; as if our efforts to assert our rights were puny, weak, miserable, and to be despised? And should we be further insulted by being assembled to see the ink dry on the deed of British dishonour, and the sign of British weakness? On the other hand, what words could be more appropriate than these?—

> "To abandon possessions gained at the cost of so much blood and treasure—many of them important outposts for the protection of our commerce and the security of our dominion—would be a violation of public faith and a forfeiture of national honour."

These were the words of the noble Viscount.

MR. MAGUIRE differed from the noble Lord on the question of Ionian cession, which he thought was a wise and prudent act, and it was one which Sir John Young, the British Governor, had long since recommended. With respect to Lancashire distress, he was glad to learn that it had abated. He, as chief magistrate of one of the principal cities in Ireland, had done everything in his power to evoke sympathy for the operatives; he had, however, now to state that Lancashire distress was very far exceeded by the misery that prevailed in Ireland. The statements which he made last year were evaded or denied, but he had since had the honour of laying upon the table papers proving the truth of all that he stated. But however bad the state of things might last year have been, it was now infinitely worse. There was not, he believed, a single man in Ireland, whatever his rank might be, who was not filled with alarm at the prospect which was before his countrymen for the next twelve months. The last harvest was a melancholy failure. Ireland was an agricultural country, not possessing the resources that this country enjoyed, and she had suffered from a long succession of failures in the crops, of which the last dealt the crushing blow. Some few estates, no doubt, continued prosperous, but generally speaking rents could not be paid with anything like punctuality or to any large amount this year. The small farmers throughout the country were almost annihilated because they were crushed under the weight of an accumulated load of debt, and they had no prospect before them but that Providence might give them an abundant harvest this year, which would to some extent compensate them for the successive failures of the previous years. The labouring classes had no employment in the towns, the mechanics and artisans were reduced almost to a state of starvation. The state of things might be indicated by the fact that last year there were 65,000 or 70,000 people leaving Ireland, notwithstanding the war raging in America, and the awful slaughter of their countrymen in that disastrous contest. He solemnly believed, that if there were peace to-morrow in America, and in this he spoke the opinion of many thoughtful and far-seeing Irishmen, that the next census would not show the population of 1845, which was approaching nine millions, but would show something nearer four millions, and he should not be surprised if it did not far exceed three millions. Three bad harvests in succession would tend to bring down the most prosperous nation in the world, but it was absolutely a crushing calamity to a nation like Ireland. Although the state of the workhouses might be, to a certain extent, an indication of the condition of that country, it was no real proof of its prosperity or adversity, because there was no out-door relief there. Would it not, for instance, be a most fallible test to judge of the number of poor in Lancashire by the number of persons in the workhouse? Yet, in Ireland there was no other test. People would not break up all family ties till they arrived at the last extremity, and many of the people of Ireland would rather suffer the direst torments of hunger than go into the workhouse. There was that sense of pride and decency still existing in the crushed-down people of Ireland, but still the number in workhouses was increasing—the number was larger than last year, and fifty per cent over what it was the year before. He rejoiced that the commercial treaty with France had produced such great results as they were told it had; but he rose with the one object only of telling the Government in the face of the country that the condition of Ireland was imminently dangerous, and he challenged any Member for Ireland to dispute the statements he had brought forward. It was well when the distress in Lancashire was talked of that he should tell the House what was the state of things in Ireland. He made no suggestion on the subject, but the Government were responsible; and the same people of Ireland who sympathized with the distress in Lancashire were entitled to the protection of the English Government and the sympathy of the English people. He believed that employment was the best remedy; but the means of the gentry of Ireland were restricted by the very extent of the calamity with which they had to grapple, and it was to the Government, with the recollection of the struggles and sacrifices of the Irish people to maintain the honour of the British Crown, that they must look for aid in the existing distress.

Mr. C. FORSTER said, he was rejoiced to hear of the flourishing state of the revenue, and the country would receive that announcement with great gratification. He thought it unnecessary to remind the Government, in the face of the depression and stagnation now unhappily prevailing in a large portion of the country, that it was their duty to take advantage of the present state of the finances to give to that portion of the community the relief from the pressure of taxation to which they were entitled. His object, however, in rising was to remind the House of a very serious question which must soon command their attention, he meant the Income Tax; and to press upon the Government the necessity of making some provision to meet the just expectations of the country in that respect. He regarded the Income Tax as a powerful engine at the command of the Government to meet emergencies, and for the remission of indirect taxation; but, looking to the present condition of the revenue and the undue amount of that tax, as well as to its unjust, offensive, and inquisitorial character, he felt bound to declare that the time had arrived when it should be materially modified. He was aware that the Committee which was appointed upon the subject had reported adversely to such a proposal, but he warned the Government that the country would not be deterred by the Report of that Committee from agitating the question, and from insisting upon the relief which was justly their due. He knew that there was a deeply-rooted feeling in the country upon the subject—many cases of undoubted hardship had been brought under his notice, and he was anxious, therefore, not to allow the first night of the Session to pass without calling attention to the matter, and expressing his hope that the Chancellor of the Exchequer, in the disposal of the surplus, which he believed might be now regarded as a matter of certainty, would direct his attention to the Income Tax as a matter demanding his first notice.

MR. BAILLIE COCHRANE said, he should not have risen in the course of the present debate but from certain observations made by the noble Lord who had recently spoken (Lord R. Montagu). He did not think that this was a time to discuss the question of the Ionian Islands, as there were papers to be produced in regard to it, when it could be more satisfactorily entered upon and the whole details would be better understood. The noble Lord spoke of the attitude and conduct of the Greek nation in reference to the proposed concession. Now, he (Mr. Baillie Cochrane) thought those observations of the noble Lord were most unfair towards the Greek people, who amid the greatest difficulties exhibited the most becoming moderation, prudence, and discretion in their conduct. He was anxious that Her Majesty's Government should inform the House of the negotiations that were going on with the Duke of Saxe-Coburg, as it was of the utmost importance that the present state of uncertainty in regard to the crown of Greece should be removed—whether it was likely that that Prince would accept the sovereinty of that country; and if so, what those mysterious conditions hinted at were, which were connected with the acceptance of the kingly office. After the King left Greece, Her Majesty's Government proposed that a note should be written to the three Powers in the terms of the protocol of February 1830, excluding any member of the reigning families from the Greek throne. It was understood that Russia objected to the note being signed. But the strangest thing was, that it was currently reported in Greece, and generally believed, that Her Majesty's Government suggested Prince Alfred to the Greek nation, or, at any rate, did not discountenance in any way his candidature. Indeed, evidence of this was furnished by the leading articles of the *Morning Post*, which had long been regarded as the confidential organ of the noble Lord opposite. Some of the earlier articles in that paper were distinctly in favour of Prince Alfred, and were well calculated to mislead the Greek nation. In one of these it was said—

> "It is for the Greek nation now to choose whether they will have Liberalism and Conservatism united in the person of Prince Alfred, or whether they will have the uncertainty and dangers which must surround the candidature of the Duc de Leuchtenberg."

M. Drouyn de Lhuys, in his despatch of December 4, says:—"The organs of the English Government supported the candidature of Prince Alfred." The evil that had resulted from this supposition was very great. He understood that the noble Lord the Foreign Secretary prided himself on what he had done; he had taken advantage of the Russian Government, and in this manner he had got rid of the Duke de Leuchtenberg; and he considered that he had practised a clever dodge on the Powers. But they must remember the injury done to the Greek nation by keeping them so long in uncertainty, when it was perfectly easy to say at once that the Government could not accept the candidature of Prince Alfred. Why was not Mr. Scarlett instructed in the first instance to express himself distinctly on that point? Deputations waited upon him daily, and he replied that he had received no instructions. His object, however, in rising was to protest against the language of the noble Lord the Member for Huntingdonshire respecting the Greek nation. The position of the King of Greece was entirely different from that of any other Monarch. He was not elected by the people, but was nominated by the Great Powers on positive guaranteed conditions, which he never fulfilled. The strong monarchical tendencies of the people were shown by the application which they made at once to this constitutional country for a King. In doing so he did not think the Greeks were animated so much by a sense of the advantages which they might obtain from the English alliance as by the knowledge that this country had always carried out a just policy towards them, and that its representatives never took part in the miserable disputes and intrigues which used to agitate the Greek Kingdom. He trusted the noble Lord at the head of the Government would tell them the position of the Duke of Coburg, and allude to the charge that the Government did not discountenance the candidature of Prince Alfred.

SIR JOHN HANMER said, that as a Welsh representative he wished to take that opportunity of saying that the Welsh people regarded with great interest everything relating to the Prince of Wales; and, on the part of the Welsh people, he begged to express their loyalty, their sympathy, and their gratification at the announcement that had been made that day.

SIR PATRICK O'BRIEN said, he rose to confirm the statement of the hon. Member for Dungarvan with regard to the present lamentable condition of the tenant farmers in Ireland. Successive bad seasons had rendered them unable to pay more than a portion of their rents, and although landlords had allowed them to occupy their farms for two years under these circumstances, they might feel that their first duty was to their own families, and refuse to allow them to continue in possession a third year. Anything like a system of universal ejectment would too probably be followed by an increase of crime and of those unfortunate assassinations which had lately disgraced the country. He did not say that the Government could interfere beneficially by legislative proposals, but they might very fairly consider whether it would not be possible to give extensive employment on works of a reproductive character.

MR. HENNESSY said, he was anxious to express his sense of the state of things existing in Ireland and the impending condition of the country. He wished to make an appeal to the House, not to the Government, for the Government of Ireland was a perfect nonentity—willing, but incapable to do anything. At its head, no doubt, was an accomplished, eloquent, and experienced statesman, but he was surrounded by some half-dozen of the old school of Irish Whigs, who prevented Lord Carlisle from learning the true state of things. The noble Lord was assisted by a Chief Secretary, likewise very able though not experienced, very eloquent, and in that House and in England, he believed, very popular. But of late years there never had been a Chief Secretary of Ireland more unpopular with all classes in that country, or more incapable of understanding Irish interests than the right hon. Baronet the Member for Tamworth. Why the noble Viscount at the head of the Government, who knew more about Ireland than any other Member of the Cabinet, should have selected the right hon. Gentleman to govern that country he could not understand. Everything that indicated prosperity was wanting in Ireland. The population was declining. The money spent in works of a reproductive character was every day diminishing. The quantity of live stock, the acreage of land under cultivation, the money in the savings banks were all in course of reduction. Ireland had 105 Members, not one of whom was found on the Treasury bench. Could the present be called a representative Government, which did not contain a single Irishman? [An hon. MEMBER: Colonel White.] This proved that the people of Ireland differed from the Government as to the policy to be pursued towards Ireland. He was not surprised, therefore, that under these circumstances there was no mention of Ireland either in the Speech from the Throne or in the Address. There was another topic to which he begged to direct the attention of the noble Lord at the head of the Government. England was bound by solemn treaties which had been violated, and the effect of this treaty violation was being felt in a part of Europe in which the people of this country felt a lively interest. He had during the last Session asked the noble Viscount, and he begged now to repeat his question, whether during the Crimean war overtures had not been made by Austria to the Allies with reference to Poland? A most eminent European statesman had authorized him to state that Austria had offered to join the Allies on condition that Poland should be declared independent, and that an army of 100,000 men should be sent into Poland. The present was a moment when England was bound to look into this subject, seeing that England was mainly responsible for the existing condition of Poland. Within the last two years despatches that had been concealed for thirty years had revealed the startling fact, that when in 1831 Poland was in arms to demand the performance of the stipulations of the Treaty of Vienna, England refused to join France in using her influence on behalf of Poland. That country exhibited the rare spectacle of a united people. Princes, peasants, the clergy of all denominations, were of one mind, and all desired to see the ancient kingdom of Poland restored. He contended we were bound to ask for this restoration, because the treaty to which we had been a party had been violated by Russia. During the last three or four years the people of Poland had shown more than usual symptoms of nationality. The Russian Government felt that they were about to be beaten by moral force, and they therefore determined to drive the people into insurrection. An order was made for a further and heavier conscription. Some of the municipal bodies remonstrated with the Government, but in vain. The conscription went on, and was directed, not against the lowest, but against the middle classes. In the middle of the night houses were entered, and the young men were sent to Siberia as soldiers. Still the people submitted, and only broke into insurrection when the final insult was passed upon them by the Russian official journal of Warsaw, which declared that the people of Poland took up arms joyfully for the Russian Government, and that they viewed the conscription with satisfaction. We were bound by treaty to protect the interests of the Poles; and when he found they were not mentioned in the Royal Speech, he felt so keenly that he was inclined to move an Amendment to the Address. He trusted that the subject would again come before the House. He believed, that if the people of this country knew of the engagements of England and the present position of Poland they would insist on something being done. He trusted, however, that the subject would again come before the House. Another question which he wished to address to the noble Viscount referred to certain proceedings which had recently taken place at Rome. They had heard that Lord Russell had sent a message to the Pope, and they were also told that the papers would be laid before Parliament. It would be very interesting to know whether the blue-book would include all the papers that had been sent either directly or indirectly to the Pope, because it appeared, from the French despatches on this extraordinary proceeding, that the final act was conveyed by Mr. Odo Russell in a private letter from Lord Russell to Cardinal Antonelli. Now, private letters might be useful in diplomacy, but it would only be fair to allow Parliament to have a glance at that private letter, as it seemed to have conveyed a threat or menace. Now, what was the account of the transaction given by the French Minister? Why, that Mr. Odo Russell, having urged upon His Holiness the propriety of quitting Rome and taking refuge in Malta, concluded by saying that he had reasons for believing that His Holiness would in a very short time find himself under the necessity of doing so. Cardinal Antonelli abstained from making any reply to that communication, and he did right not to make a reply, because the communication did not degrade the Papal Government or annoy them. But it did degrade another Government. When a Government like that of England threatened another Government supposed to be weaker, and when it was known to the Minister who did so that he had not the power to carry out his threat, it was a degradation to the Government whence it proceeded. He (Mr. Hennessy) was inclined to think that such an offer as had been made by the noble Lord the Secretary for Foreign Affairs was a piece of extraordinary hypocrisy, seeing that it had been made by the author of the Durham letter, and that he did it as he said in the interest of the Catholic Church. So profound was the noble Lord's interest in the Catholic Church that he recommended the Pope to quit Rome, and accompanied the recommendation with a threat. English policy on the Roman question from beginning to end had been a disgrace, it had been inconsistent, feeble, and a failure. The basis of that policy had been laid down by the noble Viscount himself. In March, 1849, when the Pope was at Gaeta, and the question was whether he was to be restored or not, the noble Lord laid down the basis of English policy on this subject. On the 9th of March, 1849, the noble Viscount at the head of the Government addressed the following instructions to Lord Normanby:—

> "Her Majesty has many millions of Catholic subjects, and the British Government must therefore be desirous, with a view to British interests, that the Pope should be placed in such a temporal position as to be able to act with entire independence in the exercise of his spiritual functions, . . . It seems to Her Majesty's Government that a strong and unanimous manifestation of the opinion of the Catholic powers, in support of order on the one hand and of constitutional rights on the other, would bring to reason the minority who now exercise paramount authority in Rome, and would give courage and confidence to the majority, who have been hitherto intimidated and overborne. Her Majesty's Government have learnt with much pleasure that France has been included in the invitation addressed by the Pope to some of the Catholic Powers, requesting them to take an active interest in the present condition of his affairs. It would be desirable that every endeavour should be made to bring about a settlement between the Pope and his subjects by negotiation and moral influence before resorting to the employment of force."

In another despatch of Lord Palmerston, March 27, 1849, he speaks of "the deep regret with which Her Majesty's Government witnessed the proclamation of a Republic at Rome." All that took place before the French Government determined to send their troops to Rome, which was done in the following month. Now, though he (Mr. Hennessy) entirely concurred with the noble Viscount in thinking that the Pope should be placed in such a temporal position that he would be able to act with entire independence, yet he was not at all certain that any English statesman was justified in meddling in the matter or in laying down the proposition that the Pope must have a temporal position for any purpose whatever. That the noble Viscount was justified in going that length he very much doubted. He had said that the policy built up by the noble Lord was a failure; it was also treacherous, and he thought so for these reasons. While the French troops were at Rome, Cardinal Antonelli, as appeared over and over again from the despatches of Lord Lyons, was anxious that the French occupation should cease, but it could only cease when the Pope had got an army to repel the Garibaldians. What was the conduct of England on this subject? There again she went out of her way. She advised, admonished, and even threatened. At the Paris Conference, in 1856, Count Cavour prepared a memorandum, which was approved by Lord Clarendon, and communicated to Cardinal Antonelli by Lord Lyons. That memorandum stated that it was desirable the Pope should have an army to be composed partly of foreigners and partly of natives. When it was suggested to the Cardinal to increase the strength of the foreign regiments, and if necessary to meet the expense by reducing the number of native troops, his Eminence objected, on the ground that it would show distrust on the part of the Government if the native troops were reduced. The advice of the British Government was followed, except in this respect, that Cardinal Antonelli preferred to have a larger proportion of natives than of foreigners in his army. When Mr. Odo Russell went to Rome, he also urged on the Pope's Government the necessity of employing a foreign army, and, acting on the advice of the British Government, an army was at length formed, and the time came when the French troops might be ordered to withdraw. Many persons would be surprised to hear that notice to quit actually was given to the French troops. On the 22nd of February, 1859, according to the *Moniteur,* Cardinal Antonelli announced to the Ambassadors of Austria and France that the Papal Government felt itself able to suffice for the preservation of peace within its own dominions; and that they were ready to concert measures with France and Austria for the simultaneous evacuation of the Roman States by their troops. Up to this time the Pope's Government had acted with perfect loyalty towards the British Government. They had raised an army amounting to 18,000 men, composed of two-thirds natives and one-third foreigners. Lord Russell about this time had brought in the Foreign Enlistment Bill, and had defended the employment of foreign mercenaries; and the noble Viscount, when he was Secretary at War, had often proposed Votes for more foreign mercenaries than the whole number of the Pope's forces. Well Count Cavour got an intimation that the French troops had notice to quit, but it did not suit the policy of Count Cavour, and of a greater personage still, that they should leave. The Emperor of the French raised some difficulties, which, however, were cleared away; and Count Cavour then began to make speeches in the Turin Parliament, and to write despatches on the subject of foreign mercenaries. In a short time matters got to such a pitch that the Turin Cabinet sent a despatch to Rome summoning the Papal Government to disband all its foreign mercenaries. And yet Count Cavour, who sent this despatch, was the very person who had suggested the employment of foreign mercenaries. In a few days after, General Cialdini entered the Roman territory with 35,000 men, attacked the army which the Government had formed with such care and labour, and completely destroyed it. The effect of that was that the French troops could not withdraw. The occupation would have terminated long since but for that act of the Piedmontese Government. Every European statesman protested against that act but one, and the only statesman who defended the destruction of the Pope's army was Lord Russell, who had recommended its formation. The policy of the noble Viscount towards the Papal Government would not tend to strengthen our cordial alliance with the people of France. Every one knew that the people of France were completely unanimous on this point, and that they must be deeply offended at the conduct of the British Government. No one would dare to appear on any hustings in France, or wherever the election of deputies were conducted, who approved the policy now advocated by the noble Viscount and who did not approve the policy laid down in his famous despatch of March, 1849. He (Mr. Hennessy) entreated the noble Viscount to make the papers complete, that the people of England might not be supposed to sanction the disgraceful conduct of Piedmont in destroying the Pope's army under a pretext which they themselves created, and that the alliance by which England had something to gain and everything to lose might not be imperilled as the noble Viscount was imperilling it. He had referred to Poland, and he wished to contrast the conduct of the Pope with the conduct of Victor Emmanuel. Two messages arrived in Italy about the same time from the Emperor of Russia. By one the Pope was requested to remove the Polish bishops, who appeared to be patriots, on pain of the Czar recognising the kingdom of Italy. To that request the Pope replied that he was not prepared to interfere with the people of Poland, who, for years, had borne their sufferings with patience and resignation. The other despatch promised the recognition of the kingdom of Italy if Victor Emmanuel would dismiss the Polish emigration out of Italy, and close the Polish schools. General Durando, who was the Foreign Secretary at Turin, in reply, said that the King of Italy had received a despatch in which the Russian Government expressed concern at the presence and conduct of the Polish emigration in Italy, and requested that plots against the integrity of the Russian empire might be put an end to; that the formation of a Polish legion might not be allowed; and that the Polish schools should be controlled. These desires were conformable to the usages established by all civilized nations, and the schools would be closed in July, and not re-opened. The Emperor Alexander was perfectly satisfied with General Durando's note, and sent an envoy to Turin. This was the history of the recognition of disunited Italy by the Czar. The Pope would not interfere with the patriotic sentiments of the Poles; but Victor Emmanuel obtained the recognition upon these conditions, and not, as the noble Viscount had stated, unconditionally. He mentioned this for the purpose of illustrating that in the Papal question the strong power was the Sovereign Pontiff, and the weak power was Victor Emmanuel.

MR. SMOLLETT said, he hoped that an early opportunity would be taken to bring under discussion some prominent topics connected with British India. It was a great misfortune that the members of the Council of India were excluded from the House, as the effect was to make the right hon. Baronet the Secretary of State for India dictator over 180,000,000 of people. With the single exception of the hon. Member for Windsor (Mr. Vansittart), he was unable to induce any hon. Gentleman to join in the debate at the close of last Session, upon the question of land tenure in India; gentlemen whom he had personally solicited excused themselves on the ground that they were utterly unacquainted with the subject. It was a very good reason for not speaking, and he only wished it was acted upon more strictly on other occasions. As soon, however, as Parliament was prorogued, meetings were held in Manchester, Glasgow, and other large places, where, in strong language and in the presence of persons of influence and position, the right hon. Baronet (Sir Charles Wood) was stigmatized as perfectly incompetent, and Members of Parliament were required to demand his impeachment or to dismiss the noble Viscount the First Lord of the Treasury from his office. A deputation from one of these meetings waited, in October, upon the noble Viscount at Cambridge House, and they were introduced by the hon. Member for Manchester (Mr. Bazley), who had so ably seconded the Address. It was derogatory to the character of the House that gross charges of misconduct should be made against the right hon. Baronet in his absence and where he could not defend himself, and he felt strongly that those charges, if made at all, ought to be made in Parliament.

VISCOUNT PALMERSTON:—Sir, I am not going to follow all the hon. Gentlemen who have spoken in the course of the evening into the many and desultory topics upon which they have made their observations; but there are a few remarks which I think it my duty to address to the House. In the first place, I am sure the country must be gratified by the manner in which this House has received the announcement of the approaching marriage of the Prince of Wales—a matter of the deepest interest, not only to the Royal Family but also to the whole nation; of the deepest interest for the present and of augury of good for the future. And I may remark that His Royal Highness has been peculiarly fortunate in this respect—that whereas the common fate of Royal marriages has been that persons are contracted together who have had no previous knowledge of each other, and with whom political considerations are the guiding principle of union, in this case the marriage may, in the fullest sense of the word, be called "a love match," while the amiable and excellent qualities of both parties give the fairest promise of permanent and complete happiness.

The right hon. Gentleman (Mr. Disraeli) who spoke immediately after the Seconder of the Address took a wide range of attack upon the foreign policy of the Government. That appeared to me to be the topic uppermost in his mind. He made broad accusations against the Government—some really, I must say, of a very disagreeable kind. He accused the Government of an intriguing policy. I could not help thinking in my own mind that the right hon. Gentleman must have had a sort of recollection of the policy of some former Government, of which he has, doubtless, more knowledge than of the proceedings of the present Cabinet; or that, by some confusion of ideas, he was reflecting rather upon the conduct of certain leaders of the Opposition than upon that of the Government of the day. All I can say is, that I utterly deny and repudiate the accusation of the right hon. Gentleman; and I will venture to add that there never was an accusation brought against any Government more completely unfounded than that comprised in the words he used. If any proof were wanting of the influence—the just influence—which this country possesses over the opinion of other nations, without intrigue, without any underhand or other than honourable conduct, it would be afforded by that which we have seen lately passing in Greece. The whole nation—not simply that portion of it which inhabits Greece, but also those members of the Greek community who are scattered over every country in Europe—has with most astonishing unanimity declared in favour of a Royal Prince of England, on account of the high character of the Royal Family of England, and on account of the fair and honourable policy which England has pursued. A curious instance of that happened the other day in the Moldo-Wallachian provinces. A deputation of the Greek merchants and other persons residing in one of the towns of those provinces called upon our Consul—a person they did not know except by name—and said their object was to tell him that the Greek nation were unanimous in their desire of having a British Prince as their ruler, because, they stated, of the honest and straightforward policy of England, and because England was the only Power which invariably protected the weak against the strong. I shall take first of all the topic which the right hon. Gentleman referred to in his speech—our relations with China. The right hon. Gentleman found fault with the Government for not having mentioned China in the Speech from the Throne. If there are any papers which anybody wishes to have relating to recent transactions in China, there will be no difficulty in producing them to the House. But the right hon. Gentleman said that the policy we were pursuing in China is inconsistent with that which we originally followed, and is a policy leading us into a Chinese war. The policy we have pursued in China from the beginning is to protect our trade and commerce with that country; and those who know anything of China will not hesitate to admit that our commerce with that country is a most important outlet for the productive industry of these islands. Whence in the outset proceeded the obstructions to our commerce in China? From the Imperial Government. It was the duty of the Government of this country to endeavour to remove those obstructions, and to insist that those rights and privileges to which our subjects resident in China were entitled should be afforded to them. At that time, therefore, we were in conflict with the Government of China. We are no longer in conflict with the Government of China; on the contrary, our Minister and officers there are on the most friendly footing with the Government, which, having its eyes opened to its true interests, namely, commercial relations with European nations, are now desirous of promoting trade and commerce. The prejudices which in former times operated to keep "the outside barbarians," as they were pleased to call us, from the interior, having been seen to be mere delusions, the barriers which kept us from entering have been removed, and the Chinese Government now does all it can to promote the commercial interests of the empire. Who now are the obstacles?

The Taepings. My hon. and gallant Friend (Colonel Sykes) will forgive me for holding very different views from his with regard to the Taepings. All the information we can get from China goes to show that wherever the Taepings pass peace, commerce, industry, are destroyed. Their course is marked by murder, by bloodshed, by plunder, by everything that destroys commerce and the elements of commerce. But we are not making war against these Taepings, except so far as this—we require them to respect the neighbourhood of those cities in which our commercial establishments are fixed. We are withdrawing troops from China, instead of sending them there. It is true, indeed, that we have authorized British officers to engage in the service of the Emperor of China, to organize in his service and his pay certain small bodies of men who, by drilling and instructing his troops and his navy, may enable him to restore tranquillity in his dominions. You may depend upon it that there is a strong English interest in that. Until tranquillity and order are restored in the provinces of China, we cannot expect that development of British commerce which otherwise could not fail to take place. So much for our policy in China, which is not in contradiction to, or inconsistent with, that which we originally acted upon, but is entirely in unison with it. The result has shown the success of our policy, because we have converted an enemy into a friend, a suspicious and jealous people into friendly and eager traders.

Passing from China, the right hon. Gentleman touched upon the question of Denmark, and he said—which, no doubt, was true, with reference to the person speaking—that he found it impossible to understand or to explain anything relating to that subject. If he had extended that observation to those other topics upon which he dilated, perhaps we should not have been much disposed to question the accuracy of his description of his own comprehension, because he certainly showed in his remarks how essential it is that the Government should do that which they have announced their readiness to do — namely, lay explanatory papers on the table of the House. Here is a right hon. Gentleman of undoubted talent and genius, who has turned his attention very much to these questions, whose study of the ordinary sources of information has brought him into that sort of hazy condition of mind with respect to them, which shows how much he would be benefited by a perusal of the papers which we have intimated our intention to produce. But the right hon. Gentleman is mistaken in supposing that the despatch of Lord Russell, to which he referred, and which appeared in the autumn, was a sudden act, unconnected with anything that passed before, and that my noble Friend suddenly dashed, as it were, into a transaction with which we had no previous connection. The fact is entirely different. We had for several years previously been engaged in attempts to mediate between Denmark and Germany. It had been my lot while in the Foreign Office to endeavour—but, I am sorry to say, without much success—to accomplish that object. Our mediation was invited by the two parties; but they were found so completely at variance, and the question was encompassed by such difficulties, that all that could be effected was a sort of provisional arrangement which prevented the worst consequences of the dispute. But in the course of last year there was a threat of what was called "execution" on the part of the Diet at Frankfort. The Diet of the German Confederation threatened to march troops into Holstein with the object of carrying into effect their view of the matters then in dispute. My noble Friend at the head of the Foreign Office prevailed on them to suspend that operation ; but in having so prevailed he was bound, at all events, to make suggestions by which a permanent arrangement of a friendly character might be established between the two parties. We cannot say that we succeeded in our endeavour; but that endeavour was a link in the chain, and not a sudden thought unconnected with the transactions that had previously taken place. Papers will, however, be presented on that subject, and the House will then see upon what ground the step was taken to which the right hon. Gentleman adverts.

Then, with regard to Greece, the right hon. Gentleman hopes that we took an early opportunity to inform the Greek Government that it was impossible that Prince Alfred should accept the Greek crown. We did make the fact known as early as occasion required. The very first moment that the Greek nation indicated a desire to elect Prince Alfred we communicated with France and Russia, the other two protecting Powers, and stated our opinion that the Protocol of 1830 was still in force, by which no member of the reigning families of either of the three protecting Powers can ascend the throne of Greece. There was, undoubtedly, some delay, arising, I will not say from an objection on the part of the Russian Government to admit the principle, but from a hesitation to admit its application to the Duke of Leuchtenberg, to whom, however, it was ultimately admitted that it undoubtedly does apply. But the Greek Minister was informed at the earliest possible moment, and by myself, that in our opinion the Protocol applied to Prince Alfred, and excluded both him and the Duke of Leuchtenberg from being elected as Sovereign of Greece. I am asked what is the present state of the question in regard to the Duke of Coburg. I am not able to answer that question, because communications are still going on, the result of which I am not yet acquainted with. The right hon. Gentleman expatiated at great length on the intimation made by Her Majesty's Government of a readiness, under certain circumstances mentioned, to recommend a revision of the treaty by which the Ionian Islands were placed under the protectorate of Great Britain. The right hon. Gentleman really treated that question in a manner that surprised me. He said that the Ionian Islands were by the Treaty of 1815 placed under the British Crown in the same way as Paris was placed under the protection of France. The right hon. Gentleman is not a man who speaks in this House without knowing what he is saying; he knows the value of words and the nature of things; but I was astonished at his making an assertion of that kind. He compared it to Piedmont and to the Prussian Rhenish provinces. Why, he himself stated that which negatived that general assertion. The Ionian Islands were, as he said, six of them, occupied militarily by a British force at the time of the termination of the war, and Corfu surrendered at the downfall of Napoleon. But their fate was determined, like the fate of many of the countries of Europe, by the treaties concluded in 1815; and to those treaties, and especially to the treaty in regard to the Ionian Islands, Great Britain was a party. Well, what did that treaty do? Did that treaty say that the Ionian Islands were to be, what the right hon. Gentleman stated—a British territory, and to belong to the British Crown as one of its possessions? Quite the contrary. It stated that the Septinsular Republic was to be a separate and independent State, but, as a separate and independent state, was to be placed under the protection of the British Crown. But it is no part of the dominions of the British Crown. The Queen is not Sovereign of the Ionian Islands. Our treaties do not include or bind the Ionian Islands. When a treaty of commerce is made, there must be a separate act on the part of the Ionian Islands to give them the benefit of that treaty. They have a separate Legislature of their own; we do not make laws for them. They are to all intents and purposes literally and legally a separate State, forming no part of the British territory or dominions, but under the protection of England, by virtue of the treaty concluded between England and the other great Powers of Europe. Therefore, all the argument of the right hon. Gentleman founded on the supposition that Corfu and the other Ionian Islands were to England what Paris is to France is, if he will allow me to repeat his own words, a perfect absurdity, and has no bearing whatever on the question which the House may have to consider with reference to these Islands. It is not now the time to discuss the policy of making that cession under the circumstances contemplated by the paragraph in the Queen's Speech. My own opinion is that it would be a wise measure. I think it would be a generous measure. I think it is due to that Ionian State, which was placed under our protection for its benefit and not for our advantage. We were bound to do the best for it. I believe we have done the best for it hitherto by maintaining the Protectorate. But I think if Greece is established under an enlightened Sovereign, who will develop her internal prosperity and maintain her external peace, it will be for the benefit of those Islands to be united with their fellow countrymen. I think, too, that it is an example which may not be lost upon other countries. There are other questions pending in the world, in Europe especially, with regard to which an example of generous disinterestedness on the part of Great Britain, for the benefit of those whose fate has been committed to her charge, may not be without result, and I trust it may have a salutary effect on the solution of those questions.

The right hon. Gentleman adverted, as other hon. Gentlemen have done, to certain communications which have taken place in respect to Italy, and especially with respect to Rome and the Pope. Now, the statement which has been quoted appeared in a book published by the French Government, and was contained in a despatch from the French Minister at Rome, which was founded upon a complete misapprehension and misinformation as to what had really occurred. The statement made to the French Ambassador, and by him conveyed to his Government, was that Mr. Odo Russell one fine day asked for an audience of the Pope, and having been admitted, recommended His Holiness to leave Rome and to accept a refuge which the British Government offered him at Malta. Now, the course of the transaction was exactly the reverse of that. It was the Pope who sent for Mr. Russell, and, Mr. Russell not knowing what he was sent for, it was the Pope who in conversation expressed a wish to know whether, in the event of his being compelled by circumstances—which he, of course, did not then think likely, but which were possible—to leave Rome, he would be received and protected in England. [An hon. MEMBER: In England?] Yes, in England. Well, Mr. Russell could not, of course, give any other answer than that he had no instructions, but that it was the custom of the English nation to receive, and hospitably to receive, all those who might from any circumstances feel it desirable to take up their abode in their country. Mr. Russell was then on the point of coming home to England. When he returned in November to Rome he carried a despatch, which was to be communicated to Cardinal Antonelli, in which Earl Russell instructed him to say, that if circumstances should occur which would lead the Pope to leave Rome, and he should not think fit to take refuge in France or in Spain, the British Government would provide for him a suitable residence at Malta, where he would be received and treated with all the respect due to his rank and position. I think that was a proper communication, and it was one that was received apparently with great satisfaction by the Pope, as a proof of the goodwill and friendly feeling of the British Government towards him. The hon. Member for the King's County (Mr. Hennessy) has gone into a long dissertation on transactions which took place in the year 1848, and he accuses me especially of inconsistency in the views which I have at different times entertained in regard to the occupation of Rome by the French. The hon. Gentleman should recollect that the circumstances of 1848 were totally different from the circumstances of the present time. The hon. Member says that the Pope had no army in 1848. Why, if my memory does not very much deceive me, the Pope declared war against the Austrians, and sent his army to assist Piedmont in attacking them. I think I am not mistaken in stating that. But, no doubt, in the then state of Italy, it was thought desirable for the peace of the country that that revolutionary Government which had been established at Rome should cease, and that the Pope should return into the possession of his dominions. I believe there was a great deal of unjust accusation brought against that revolutionary Government. It was a much better Government than that which has since prevailed, but the state of things was very anomalous, and we thought it wise and useful that it should be terminated. It does not follow, however, that because we hold it to be an unobjectionable move on the part of the French in 1849 to restore the Pope, we should think it advisable that the French troops should continue there from that time to this, with the appearance of remaining till Heaven knows when, for the purpose of maintaining a Government which, in our opinion, is distasteful to the majority of the people of Rome. There is no inconsistency in that. At any rate, if we are to be condemned for having approved the entrance of the French into Rome, we may fairly be acquitted of any desire for the continuance of foreign bayonets in that city in order to maintain a Government which the people do not wish to have.

Allusion has been made to certain recent transactions in Brazil. They arose from a just claim for compensation for British losses and injuries to British subjects. The Brazilian Government would not agree to meet that claim until reprisals were commenced. Communications are still going on, but I believe that a satisfactory understanding has been come to on the subject. A very legitimate tribute has been paid by the hon. Member for Honiton (Mr. B. Cochrane) to the Greeks for their recent conduct. They have certainly shown as much self-restraint and moderation as the Italians, and higher praise can scarcely be bestowed on them than by comparing them to that nation. The Greeks have behaved with great good sense, and I trust that when they have obtained a King fit to rule them, and a permanent Government, they will become a prosperous and successful State. Their ancestors were distinguished in every department of intellectual power. They produced the first warriors, the first statesmen, the first poets, the first orators, the first historians, philosophers, painters, and sculptors. I see no reason why the descendants of those great men should not follow in their steps. In the history of nations we find that there is some influence at work, not easily to be explained, by which the people who inhabit a country continue, notwithstanding immigration and changes of population, to exhibit the same qualities; and there is no cause why the Greeks, when they get a good Government, should not become one of the most enlightened and distinguished nations in Europe. It is said that in giving up the Ionian Islands we are changing our policy towards Turkey, and are encouraging the Greeks to be aggressive towards the Turks; we are told, that if we were bent on making a present of them, it should have been, of all the people in the world, to the Turks. That would certainly have been a singular way of changing the distribution of population and the limits of States. But I wish to say that we have not altered our policy towards Turkey. We hope that under the present Sultan Turkey will set her finances in order, and establish a sound Government and just laws, fairly administered to all classes of the people of his vast empire. We trust that Turkey will then become strong both within and without. I certainly cannot see how the union of the Septinsular Republic to Greece can have any tendency to disturb the tranquillity of the Ottoman Empire.

There is one topic which has been adverted to, and which is calculated to excite great regret—I mean the statements made by various hon. Members from different parts of Ireland as to the distress which they say prevails in parts of that country. There is no doubt that Ireland has had three bad years; and no country can endure three bad years in succession without suffering severely. My information, however, does not go so far as some of the statements which have been made to-night. I am told that the potatoes and oats were not generally bad in Ireland last year. The people were also able to save their turf. The crops were certainly shorter than the average, and doubtless there is a good deal of pressure in many parts of the country. I think, however, that some of the assertions which have been made are exaggerated, and, at all events, the appeal which has been made for a grant of money for public works would require to be supported by stronger evidence of its necessity than we have yet received. It is impossible that English Members should not feel deeply for the miseries of any portion of the inhabitants of the United Kingdom. We sympathize as heartily with the sufferers in Ireland as with those in Lancashire. There is, however, this distinction between the two cases, that the misfortune in Ireland is the result of the act of Providence in the ordering the seasons, while that in Lancashire is the result of human causes, which, however, are beyond our control, and were not to be expected.

I am glad that the Address is likely to be voted without more than a discussion upon it; and I will no longer interpose between the House and the hon. Member for Horsham (Mr. S. FitzGerald) who, I see, is anxious to address it.

Sir GEORGE BOWYER said, he thought it his duty to direct the attention of the House to that part of the speech of the noble Lord in which he had spoken in praise of the Government of the Sultan and in condemnation of that of the Pope. The former was universally considered to be the very worst Government in the world. He could never have supposed that in a Christian country a preference would have been given to a Mahomedan Government over that presided over by a Christian Bishop; and he thought that that preference had shown a most unjustifiable partiality. The noble Lord had given a very inaccurate version of Mr. Odo Russell's interview with the Pope. The noble Lord had told the House that the Pope had sent for Mr. Russell and had asked him whether, if he were obliged to leave Rome, England would give him an asylum? The statement of the French Minister gave a different description. He (Sir George Bowyer) would tell the noble Lord what really occurred. But first he must remind them that Mr. Odo Russell was not an accredited minister at Rome, but an English agent residing there. Until recently he was Secretary of Legation at Florence, but allowed to reside at Rome. Since that Legation had been abolished he did not know how Mr. Odo Russell could be diplomatically described. [Viscount Palmerston: He is attached to Turin.] He is attached to Turin in more senses than one—to the Legation and to the Turin policy. At any rate, he had no diplomatic character at Rome, and could only see the Holy Father as any other stranger or traveller obtained admission to him. And in that capacity, and in no other, did he visit the Vatican. During one of these audiences, as Mr. Russell was leaving, no other person being present, the Holy Father said good-humouredly, but without any political meaning whatever, —"Well, my dear Sir, if ever I am in trouble, I may perhaps ask you for assistance." That was all that really passed. What Mr. Odo Russell wrote home to the Government, the noble Lord knew, and he (Sir George Bowyer) did not; but subsequently, after communicating with the noble Secretary for Foreign Affairs, Mr. Russell went back to Rome, and having obtained another audience, told the Holy Father that he was commissioned to state from the British Government that in case he should leave Rome he should have an asylum at Malta; and he went further, and advised him to leave Rome and go to Malta, saying that if he did not do so, he might be compelled—it was not exactly a threat, but very much like one or a warning. Now, what had been the result? Why, it had given great offence to the French Government, for it seemed to imply that that Government was not able to maintain the Head of the Church in his dominions, or that they were going to act in bad faith towards him. But all these matters must be thoroughly sifted. He had the statement of the French Minister. [Mr. Roebuck: He was not present at the interview.] His hon. and learned Friend said that the French Minister was not present, but he had the means of obtaining the best information, and there could be no doubt that Mr. Russell made a great mistake, and that the noble Earl (Earl Russell) had deviated from his doctrine of non-intervention which he had professed to act upon. The noble Lord had been pleased to pronounce a great eulogium on the Government of Mazzini and the other Triumvirs at Rome during the republic, and he remembered Earl Russell pronouncing a similar eulogium. He was, however, ready to show that there never had existed a more atrocious Government; for it murdered some of the most excellent and exemplary priests wholesale, merely because they were priests and ministers of religion. A more sanguinary and atrocious Government never existed since the days of Robespierre. The noble Lord had said that the population of Rome was adverse to the Government of the Pope. He denied that most emphatically. Of course there were some discontented spirits in Rome as elsewhere—there was discontent in England even under our blessed constitution, but there were less of them now at Rome than formerly, because the Romans found that they were taxed the tenth part of the taxation of the rest of Italy, and were subject to no conscription. Let the noble Lord look to Naples. There thousands of people had been imprisoned, some of them for two years without any trial, and without knowing the charge against them to the present day. Fourteen towns in the Kingdom of Naples, containing a population of 39,000 had been destroyed by the Piedmontese. The people were driven out of their houses to starve, and to become what was called brigands. These were the loyal people, struggling and fighting against foreign dominion of a most galling and intolerable nature. The British Government had produced, through their influence, a state of things in Italy which was not liberty but enslavement, and they would be cursed eternally for it. [*Laughter.*] Those hon. Gentlemen who laughed, laughed because they knew nothing of the subject—it was the laugh of ignorance. Let them read the history of that country. When, he should like to know, was Italy great? Was it in the days of her unity? It was rather in the days of the Medicis and—[*Cries of* "Borgia!"] Would hon. Members, because there happened to be one bad man, ignore the glories of Florence, and Venice, and Genoa, and the great artists and poets which Italy, though not united, produced? The greatness of Italy, he for one should maintain, was due not to unity, but to the national development and the municipal liberty fostered by individual States. He would go further, and say that the unity which would be the result of placing the whole country under the iron heel of Piedmont would turn out to be to Italy not a blessing but a curse. The noble Lord at the head of the Government seemed to imagine that the Roman people were entirely opposed to the authority of the Pope; but in that opinion the noble Lord was grievously mistaken; and if the French garrison were withdrawn from Rome to-morrow, and the Piedmontese prevented from taking possession of it by military force, the rule of the Pope would, he felt assured, be as safe as that of Queen Victoria was in England. Indeed, the sole reason why it was expedient to keep a French garrison in Rome was because she had at her gates a piratical Government which knew no respect for law. The noble Lord did not, perhaps, concur with him in that view, but he should mention a circumstance which had taken place some days before in Turin, which ought, he thought, to make men pause before they endorsed the sentiments which the noble Lord entertained on that subject. An attack was made on the Piedmontese Government in the Parliament at Turin because, it was said, they had not sufficiently encouraged the revolutionary cause in Italy. Count Pepoli, a friend of the Government, however, rose, and contended that they had done everything they could in the direction; adding that Bologna would never have overturned the rule of the Pope if he had not been furnished with very large supplies by his Government at Turin to effect that object. Count Pepoli, moreover, stated that his Sovereign had been so good as to send him from his privy purse a considerable sum with the view of bringing about a change in the Government in Bologna. There was an instance of rebellion being promoted by secret service money, and revolution excited by a Sovereign in a neighbouring State, against which he had no cause of quarrel.

Mr. WHALLEY rose to protest against such statements, affecting, as they did, the character of a foreign Sovereign, while they were irrelevant to the subject-matter before the House. ["Order!"]

Sir GEORGE BOWYER contended that he had a perfect right to mention an occurrence which had taken place in the Parliament of Turin, and to show how it supported the view which he had advanced when he mentioned that the Piedmontese Government and Sovereign were conspirators against the peace of other nations from which they had received no provocation. He might further observe that the Romans, seeing discontent prevail in all directions in the territories subjected to Piedmontese rule, were very far from being desirous of being reduced to the same condition. He must also protest against the doctrine that that which styled itself the Liberal party in Italy was entitled to claim Rome as the capital of the country. When, he should like to know, was Rome the capital of Italy? Never. In the time of the ancient Romans Rome was not the capital of Italy in the sense in which it was now sought to make her the capital—she was then rather the conqueror and mistress of Italy. Italy rather belonged to Rome than Rome to Italy. They might as well claim Constantinople because that was once the residence of the Emperors. Rome was the seat of the most ancient dynasty in existence, the dynasty of the Popes; and if the dynasty were overturned, there would be no safety for the Throne of any country in Europe, no matter how long established. If, he might add, any Sovereign had an interest in maintaining a dynasty consecrated by innumerable treaties, it was the Queen of England, who was herself the wearer of an ancient Crown.

Mr. SEYMOUR FITZGERALD said, that he should not have risen to address the House at that late period of the evening but that he was anxious that it should not be thought that he avoided the discussion of the subjects alluded to by the noble Lord at the head of the Government, or acquiesced in the manner in which he had treated them. The noble Lord's speech, remarkable as it was for the dexterity with which he had dealt with some topics, was still more remarkable for its omissions. If there was one topic referred to in the Speech of the Royal Commissioners which above all others interested the public mind at the present moment, it was the struggle which was going on in America; yet, notwithstanding that that conflict had inflicted the greatest injury upon a large portion of our population, notwithstanding that there were circumstances connected with it which must appeal to the heart of every man in this country, although it had been made the subject of a most important diplomatic communication from our most important ally, and although the Government had taken upon itself, perhaps wisely, the gravest responsibility in declining to accede to the proposal of the Emperor of the French, yet the noble Lord, in addressing the Commons of England for the first time this Session, had passed over everything connected with the civil war in America and the propositions of France, and, preferring to address himself in a light and jocular tone to other questions, had omitted any reference whatever to this the almost paramount topic of the day. There was another omission which did not altogether surprise him, but which must be rather distasteful to the House. The hon. Member for the King's County (Mr. Hennessy) had again addressed the House upon a subject on which he took great interest, and upon which he had on a previous occasion spoken with great force and ability—the case of Poland. When revolutions were going on in other parts of the world Her Majesty's Government were sure to be found either taking them under their patronage, or, at all events, speaking with commiseration and sympathy of the sufferings which had caused them; but with reference to Poland the noble Lord had on a former occasion, when the hon. Member for the King's County brought forward the subject, devoted his whole speech to an apology for the Russian Government, without one word of sympathy or commiseration for the Poles. Now, the noble Earl at the head of the Foreign Office could address letters to Denmark complaining that not more than three persons could sign a petition, and that there were restrictions upon the freedom of the press; but when a long-suffering and gallant people were by the proceedings of Russia driven into revolution, and the noble Lord at the head of the Government was challenged upon the subject in that House, he made a reply in which he entirely omitted any reference to the question. The noble Lord had entirely misrepresented the observations which were made by his right hon. Friend the Member for Buckinghamshire (Mr. Disraeli) with reference to the correspondence with the Court of Denmark. The complaint was not, as the noble Lord had represented it, that the Government had without rhyme or reason, without any excuse whatever, rushed into a correspondence with the Crown of Denmark on the subject of the Danish Duchies; but it was this—that a persistent and uniform policy having been adopted by the Government of this country in respect to Denmark, and it having been the language of the noble Lord himself that the German Confederation had no right to interfere in the question between the Duchy of Schleswig and Denmark, the noble Lord the Secretary of State for Foreign Affairs had suddenly, without any reason whatever, changed the whole course of policy, and with all the affairs of his own country and all the business of the office pressing upon him, had sat down and in a very few lines had traced a new Constitution for the kingdom of Denmark. It was all very well for the Government of the noble Lord to say that they were a Government of non-intervention; but that the Foreign Minister of England should sit down and tell the Danish Government that their representations as regarded the state of their own population were utterly inaccurate and fallacious, that he should think it necessary to call the attention of the Danish Government to the fact that in the Duchy of Schleswig only three persons could sign a petition, and that the freedom of the press was somewhat restricted, although probably not so much as in other countries of Europe, and certainly not so much as in Paris—that he should think it necessary to address himself to these petty questions, and reverse the whole policy of England, taking up the cause of the strong against the weak, that he should do this at the very moment when it was of the greatest importance to the interests of this country and of Europe that an independent and strong Scandinavian Power should be raised in the north of Europe—that he should side with Germany in a manner which could only weaken the Danish Crown, and encourage those who opposed the just rights of Denmark to enforce their unjust pretensions by military power—that was the complaint which his right hon. Friend had made, and that was the complaint which the noble Lord had not attempted to answer. He could not omit to notice the extraordinary manner in which the noble Lord had dealt with the question of the cession of the Ionian Islands. A proposition more impolitic, more inexpedient, more unjustifiable, more contrary to the interests of this country and those of the Ionian Islands, and more fatal to the peace of Europe, was never made by any Government of any country. He was not going to take up the position which the noble Lord had unfairly attributed to his right hon. Friend, that the Ionian Islands were part and parcel of the territory of this country. The case against the cession was much stronger, because they were not part and parcel of that territory. Under what circumstances did we hold the Ionian

Islands? The circumstances of the conquest of six of them, and the cession of another, had been accurately stated by the noble Lord and by his right hon. Friend. In the year 1814 the British Government represented to the Plenipotentiaries who were negotiating the Treaty of Paris, that they were alive to the importance and value of these Islands, not to England, but to Europe; they pointed out that, from their geographical position, they might be made the means of aggression and of constant menace, either against the Venetian provinces, against the frontier provinces of Austria, or, what was still more important, against the Turkish empire; consequently, upon the character of the Power which had possession of the Ionian Islands depended the tranquillity of the East; and they proposed that these Islands should be placed under the protectorate of Austria. That was opposed by some of the Powers, and, ultimately, in the year 1815, the Islands were handed over to England, which was to be the protecting power of an independent Republic. At the same time, all the fortresses and strong places were put into the absolute possession and under the absolute dominion of England. He was not fond of referring to *Hansard*, because public men might change their opinions upon important public questions; but when the expression of opinion was very recent he thought that such a reference was justifiable; and he was now about to quote expressions which were far more eloquent than any which he could use, and in the justice and logic of which he thought that no one could refuse to concur. He wished to refer to the language used eighteen months ago by the right hon. Gentleman the Chancellor of the Exchequer, whose absence that night they all regretted, and still more the reason to which that absence was attributable. Apart from the distinguished position occupied by the Member for the University of Oxford, his opinion on this question was entitled to the greatest weight, having been sent upon a special mission to the Ionian Islands to inquire into the feelings of the inhabitants and the course of policy which he would desire to see adopted. The right hon. Gentleman expressed himself thus—

> "England must look to the exact and regular fulfilment of the obligations which she contracted with Europe. The obligation she has contracted with Europe," he repeated, "was for the benefit of Europe. She undertook that protectorate because it was deemed to be safest in her hands. She contracted then an obligation which she can never surrender until it can be surrendered in a manner that is likely to conduce to the benefit of Europe. I am asked why do we not apply to the other Powers, and see whether they will agree to release us from our obligations. But, Sir, there are conditions preliminary to any such application. You must be convinced in your own mind that it is desirable in the interests of Europe that you should be so released." [3 *Hansard*, clxii. 1687.]

The question was not whether the change would be for the benefit of Greece—and in some of the earlier language of the Government there was considerable vacillation on this point; the question was not whether the transference would be in accordance with the wishes of the inhabitants of the Ionian Islands—and from the information which had reached him he believed that any such change would be opposed to their wishes—but the question was whether it would be for the interest of Europe that the Ionian Islands should be surrendered by England, and surrendered, as the proposition now stood, to a people without any government at all. The importance to Europe of the Ionian Islands was twofold, arising from political and military considerations. Into the military part of the question he was incompetent to enter; but the noble Lord knew very well that there was no officer of distinction connected with either the naval or military service who did not consider the occupation of the Ionian Islands as of the greatest importance to this country in case of war. A despatch of Sir John Young's, which attained great notoriety from the fact of its having been stolen from the Colonial Office, contained the following remarks:—

> "The best illustration of the importance of Corfu is afforded by the fact that at the commencement of the Crimean war a Russian frigate and two corvettes were cruising in the Adriatic, and with the knowledge that there was only one vessel in the harbour of Corfu, they did not dare to sail the short distance separating Corfu from Trieste, but preferred to take the vessels to a neutral port, and to send the crews overland to St. Petersburg."

As to the political importance of the Ionian Islands there, were authorities which he did not think any Gentleman in that House would be inclined to dispute. As his right hon. Friend had already stated, those Islands came into the possession of France by a secret article of the Treaty of Tilsit, and it was now clearly known that the understanding was that there would be a partition of the European provinces of Turkey. That was the great object which Napoleon had in that treaty. In the correspondence with his brother Joseph his whole energy was directed to the retention of Corfu, which he spoke of as the key of the Adriatic, as a position without which his great projects of aggression against Turkey could not be carried into execution, as an acquisition which he would not change a thousand times over for the Island of Sicily. If their possession was of such importance to the Emperor Napoleon in 1807, were they quite certain that they might not be turned to advantage by some other Power in our own day? And was it at a moment when the Greek nation was absolutely without a Government and in the throes of revolution, when we knew, that even if a monarchical Government were formed, it must take years before its power was consolidated and its position in Europe asserted —was it at such a moment that we were going to surrender a post declared by the greatest authorities of modern times to be of the utmost political and military importance—such a post to such a people? The noble Lord with great adroitness had passed by one point in the speech of his right hon. Friend, who, after paying a just tribute to the policy which the noble Lord had followed through good report and evil report—that of securing the integrity of the Ottoman Empire—pointed out that this new proposal was in direct opposition to the course which the noble Lord had so long and so successfully pursued. Whether they regarded the dissatisfaction which would be excited in other States, or the discontent that would be stirred up among the Greek subjects of the Porte, the result of the change must be equally mischievous, if not fatal to the Turkish empire. And here again he would quote the words of the right hon Gentleman the Chancellor of the Exchequer, who said—

> "I believe it would be nothing less than a crime against the safety of Europe—I might even say against its immediate tranquillity—as connected with the state and course of the great Eastern question, if England were to apply to the Powers of Europe to be allowed to surrender the Protectorate of the Ionian Islands for the purpose of uniting them to free Greece. Consider, again, the bearing of this union, if it took place, upon the condition of what I may call the Greek provinces of Turkey. What are we to say to the people of the Ionian Islands? 'It is so intolerable that you should remain apart from the kingdom which has its capital at Athens that we will disturb the European arrangement and remove forthwith the protectorate of England in deference to the principle of nationality;' and could we at the same time say to the people of Candia, of Thessaly, and of Albania, 'You shall remain not under a Christian protectorate but under a Mahomedan sovereignty, and your desire for nationality shall remain ungratified. A Christian protectorate was too bad for others, a Turkish domination is good enough for you.'" [3 *Hansard*, clxii. 1688.]

Whether it might be from any desire of popularity, or because the inducement held out would possibly lead the Greeks to attach greater importance to the candidature of a member of our Royal Family, was it fitting that we should refuse to fulfil the sacred obligation we had contracted in the face of Europe, and should take a course with regard to the Ionian Islands imperilling not only the safety of conterminous countries in the East, but running the risk of throwing the whole of Europe into the flames of a long and bloody war? He thought the concluding observations of his right hon. Friend (Mr. Disraeli) deserved the attention of the House, and he was sure they would impress themselves upon the country. If we were to have a foreign policy vacillating and uncertain, at one time maintaining and at another ignoring the great and important reasons which led to settlements in Europe for the interest of all the world — if we were to disregard treaties—if we were to see the correspondence of the country carried on in the flippant and almost rude manner in which it had been conducted for some months back—Her Majesty's Government might talk of reduction in the public expenditure as much as they liked without effecting any permanent retrenchment. It was only by the adoption of a policy more in consonance with the faith of treaty obligations—more in consonance with the interests of England—that such a retrenchment could be secured for this country.

MR. WHALLEY said, that if the Ionian Islands were to be ceded, they could only be ceded after further deliberation and with the consent of the other Powers interested. It was, however, his belief that the policy of the Government in respect to the Ionian Islands had been adopted quite irrespective of any views connected with the candidature of Prince Alfred or of any member of the Royal Family. His principal object in rising, however, was to deprecate the making that House a platform for the exposition of statements regarding the Pope and his affairs. He was convinced that the hon. Member for the King's County (Mr. Hennessy) and the hon. Member for Dundalk (Sir George Bowyer) had been entirely imposed upon in regard to the statements they had been induced to make.

Motion *agreed to.*

Committee *appointed,*

To draw up an Address to be presented to Her Majesty upon the said Resolution:—Mr. CALTHORPE, Mr. BAZLEY, Viscount PALMERSTON, Mr. CHANCELLOR of the EXCHEQUER, Sir GEORGE GREY, Sir GEORGE LEWIS, Sir CHARLES WOOD, Mr. MILNER GIBSON, Mr. CARDWELL, Mr. VILLIERS, Mr. ATTORNEY GENERAL, Sir ROBERT PEEL, The LORD ADVOCATE, Mr. PEEL, and Mr. MASSEY, or any Five of them:—To withdraw immediately.

Lords Commissioners' Speech *referred.*

House adjourned at a quarter before Twelve o'clock.

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HOUSE OF LORDS,

Friday, February 6, 1863.

MINUTES.]— *Took the Oath.*—The Viscount Hawarden.

REPORT OF THE VOLUNTEER COMMISSION.—QUESTION.

LORD LLANOVER asked the Under Secretary of State for War, Whether it was the intention of the Government to propose any measures during the present Session for the purpose of carrying out the recommendations contained in the Report of the Commissioners appointed to inquire into the state of the Volunteer Force of the country? He said he apprehended that if the recommendations of the Commission were about to be carried out by Her Majesty's Government, the introduction of a money Bill into the other House of Parliament would be necessary. In that case, he ventured to recommend that the measure of the Government should be brought forward as speedily as possible, in order to remove the uncertainty which at present prevailed.

EARL DE GREY AND RIPON said, that it was the intention of Her Majesty's Government to propose to Parliament measures for substantially carrying out the recommendations of the Volunteer Commission. For this purpose it would be necessary to include a sum of money in the annual Estimates, and to introduce a Bill into Parliament proposing an alteration in the existing Volunteer Acts. He thought it was not altogether expedient that he should then enter into details which would be better explained when his right hon. Friend the Secretary of State for War moved the Estimates in another place, and he trusted that it would be sufficient, in order to allay the feeling of uncertainty which had been stated to prevail on the subject, to announce that measures were about to be introduced for the purpose of carrying out substantially the recommendations of the Commission.

VISCOUNT HARDINGE said, that he concurred with the Commissioners in thinking additional aid to the Volunteers was necessary, in order to preserve the force for the service of the country. He was further of opinion that the system of fortifications adopted for the defence of our arsenals afforded an additional reason why the Volunteer movement should be kept up. We could not now afford to lose 150,000 men who, in case of war, would be very useful in manning the fortifications. He would impress on his noble Friend the Under Secretary for War that every precaution should be taken to insure that the money voted by Parliament as aid towards the maintenance of the Volunteer force—if Parliament should sanction a public expenditure for that purpose—should be carefully and strictly applied to the purposes for which it was intended, and that no money should be paid to any man who did not attend those instructions and exercises which were necessary to make him efficient as a Volunteer. He thought that in recommending nine days' drill only, the Royal Commission were rather below the mark. His own opinion was in favour of a higher requirement; but the majority thought that with the checks which were proposed, and the supervision of the commanding officer and of the adjutant, nine days would be sufficient. In all the other recommendations of the Commission he entirely concurred; but with reference to another force, the Militia, he might be forgiven for expressing a hope that they would in future be trained for twenty eight days, as recommended by the Militia Commission. He was afraid he should be told that financial considerations stood in the way, but he was certain that the efficiency of the force very much depended upon this requirement.

LORD TRURO said, that one of the objects for which the Commission was appointed was to make inquiries into the present condition of the Volunteer force. He certainly thought that the utmost praise was due to the Commissioners for the assiduity and industry they had manifested; at the same time, he must say he thought that passage of the Report in which the Commissioners expressed their gratification in being enabled to state that the present condition of the Volunteer force was, generally speaking, satisfactory, and the annual subscriptions sufficient to meet the expenditure, was hardly consistent with their recommendation that they should receive pecuniary aid from the country. If the annual expenses of the force had generally been defrayed by its own members, and were sufficient to maintain it in a satisfactory condition, it did not seem to follow that pecuniary support by the country was required. He would observe also that his Royal Highness the Commander-in-Chief had impressed upon the Volunteers the great necessity of attending company drill, and on one occasion was even reported to have said that the Volunteers had better be in their drill yards than making attempts at complicated field evolutions. Now, the Commissioners, out of the nine days of attendance, recommended that six should be days of battalion drill, and three of company drill. He should have thought it more consistent with the advice of the Commander-in-Chief that six of the drills should be company, and three battalion drills. He condemned their knowledge of the subject when they laid down thirty drills for recruits in the Infantry and Artillery—those of the latter service having to learn not only company and battalion drill, but gun drill also, to which twenty-four drills out of the thirty were to be devoted. Another recommendation of the Commissioners was that any adjutant who might be employed as a paymaster should be responsible for all money received by him on account of the Volunteer force being expended in strict accordance with the army regulations; but those regulations expressly prohibited adjutants from dealing with the money at all. The public had hitherto given but slender support to the Volunteer force, and no one could doubt that the grant of Government aid to the Volunteer force would tend to diminish rather than to increase annual subscriptions and donations for the future. The noble Lord also reprobated the determination not to allow the Volunteers the use of light artillery, which in case of war would be found to be a great mistake. On what principle this had been done he could not imagine.

In answer to Lord VIVIAN,

EARL DE GREY AND RIPON said, it was the intention of Her Majesty's Government to carry out the new regulations which had been recommended by the Royal Commissioners to adopt. Those corps which might wish to expend any portion of the grant in clothing would be required to conform themselves to a certain definite rule. At present the Government had but one pattern of grey clothing, and it would no doubt be necessary to have others; but, at any rate, it would be necessary to follow the patterns adopted by the War Office.

House adjourned at a quarter before Six o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, February 6, 1863.

MINUTES.]—NEW MEMBER SWORN.—For Carlow County, Dennis William Pack Beresford, esq.

PUBLIC BILLS.—1° Salmon Fisheries [Bill 1]; Church Rates Abolition [Bill 2]; Endowed Schools [Bill 3]; Qualification for Offices Abolition [Bill 4]; Judgments, &c. Law Amendment [Bill 5]; Railway Bills [Bill 6]; Drainage of Land (Ireland) [Bill 7].

SAILORS' HOMES.—QUESTION.

SIR HENRY STRACEY asked the Secretary to the Admiralty, If it be the intention of Government to take under its consideration the subject of Sailors' Homes generally, with a view to aid those whose means are not adequate for their object, and which in its judgment may be deserving of assistance?

LORD CLARENCE PAGET replied, that it was not the intention of the Admiralty to propose to Parliament any Vote for Sailors' Homes beyond the usual Vote for those in the vicinity of the Dockyards.

THE OUTRAGE IN BRAZIL.

QUESTION.

MR. LAIRD asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have any objection to lay before the House Copies of all Correspondence between Her Majesty's Government and Mr. Christie, British Minister in Brazil, and between Mr. Christie and the Brazilian Government, relating to the wrecking of the *Prince of Wales*, and the alleged ill-treatment of three Officers of H.M.S. *Forte* by the police of Rio Janeiro; also, of any Despatch from the American Minister in Brazil to Earl Russell respecting the conduct of Mr. Christie, or of Mr. Vereker, late Her Majesty's Consul at Rio Grande do Sul?

MR. LAYARD: In answer to my hon. Friend, I beg to state that the papers which relate to the differences between Her Majesty's Government and the Government of Brazil are being prepared, and will be laid upon the table with the least possible delay. As regards the despatch from the American Minister, that despatch relates entirely to a private affair of a painful character, and no good could arise from laying the paper on the table of the House. As I am on my legs, the House will perhaps permit me to make a short statement, strictly confined to facts, regarding the matters in difference between Her Majesty's Government and the Government of Brazil, especially as those facts have been much misrepresented and much misunderstood. In the month of June, 1861, Her Majesty's Consul at Rio Grande do Sul heard that Señor Soarez, a Brazilian magistrate, had mentioned in conversation that some dead bodies of Englishmen had been washed on shore on the coast near his dwelling at Albardao, but had denied that there had been any wreck. This led to inquiries being made, in consequence of which Her Majesty's Consul found reason to believe that a British ship had been wrecked on the coast of Albardao, and that that wreck had taken place some days previous to the conversation in which the magistrate in question took part. The suspicions of the Consul were further excited by the fact that no inquest had been held upon the bodies, and no information had been given to him by the authorities as to the wreck. He accordingly proceeded to the spot, in company with a judicial officer and a coast-guard. On arriving there, he went to the house of Señor Soarez, the magistrate, who was absent. His visit was evidently not very acceptable; and in the house was found some portion of the cargo of the wrecked vessel which had evidently not been in the sea, but had been removed from the vessel and brought on shore without being damaged by sea water. On the following day the British Consul went to the coast, and found the remains of an English vessel. The sands were covered with cargo, some part of which was damaged by the sea, but a very large part of which was not so damaged. The chests had been broken open and rifled of their contents; and the Consul heard that ten bodies of Englishmen had been found on the beach. He accordingly desired to see those bodies, but the inspector of the district appeared inclined to resist the attempt; and being at the head of a body of armed men, the Consul was obliged to submit. He therefore returned to Rio Grande; and having, after some trouble, obtained from the authorities orders that the bodies of the English seamen should be brought to Rio Grande, he (the Consul) having, however, to bear the expense. Instead, however, of ten bodies being brought, only four could be obtained. On those bodies a very unsatisfactory inquest was held, and a remonstrance was made with respect to the non-production of the other bodies. Upon those bodies the authorities directed an inquest to be held, but no person from the Consulate was present, and the persons appointed to hold the inquiry were the sub-delegate and the brother-in-law of the magistrate implicated, as it was suspected, in the wreck of the vessel——

LORD ROBERT CECIL rose to order. He desired to remind the House that there was no question before it. The hon. Gentleman seemed about to cast imputations of a very serious character upon persons in a foreign country; which he ought not to be permitted to do, at a time when no answer could be given.

MR. LAYARD: I am entirely in the hands of the House, and will act in accordance with its wishes; but my hon. Friend (Mr. Laird) came to me this morning and expressed great anxiety on the part of himself and his constituents that some explanation of this matter should be given in the House before the departure of the mail on Monday next.

MR. SPEAKER: The usual course is to permit a Minister in replying to a question of this description to enter more into detail than would be deemed right in the case of a private Member. At the same time, it is a matter for the exercise of discretion in the Minister. He should avoid expressions which may call forth observations from other Members, and excite debate.

MR. LAYARD: I will carefully avoid making any comment, but will merely state the facts on which her Majesty's Government have acted. The dead bodies to which I have alluded, were found some distance from the shore, and there were grave reasons for suspecting that some of the sailors had been murdered. On this a demand was made for further inquiry and redress. It was not until the 18th September that any steps were taken by the Brazilian Government. One person was then tried and convicted of stealing some of the property. This was not considered sufficient by Her Majesty's agent, and a further inquiry was demanded, but that demand was not complied with until the month of August in the following year. Early in August Mr. Christie requested that an inquiry might be held, at which a British officer should be present. That the Brazilian Government refused. On the 4th August it was announced that two minor officials, whose conduct had been justified, had been dismissed for culpable neglect previously; but no step was taken with regard to the principal offender, Señor Soarez. After various ineffectual attempts to obtain redress, Her Majesty's Government felt it absolutely necessary for the protection of British interests to take the steps which had been resolved upon under this painful necessity. Instructions were given to Mr. Christie to demand reparation, and if that were refused, to give orders to the Admiral commanding the squadron at Rio to make reprisals. In the mean time, in the month of June, great indignities were offered to two officers and the chaplain of Her Majesty's ship *Forte*, for which reparation was demanded, but not given. Instructions were accordingly given to the British Admiral to make reprisals, on refusal of the Brazilian Government to accept the ultimatum presented by Mr. Christie demanding the settlement of both questions. Upon the action of Admiral Warren, who seized five Brazilian vessels, the Brazilian Government agreed to give damages to the owners of the *Prince of Wales*, and to refer the other question to the mediation of an arbitrator. Mr. Christie, acting under his instructions, accepted the offer of the Brazilian Government, and the five vessels which had been seized were then restored. I am happy to state that Her Majesty's Government, having the utmost reliance on the wisdom and justice of the King of the Belgians, have accepted him as arbitrator in the matter of the *Forte*, if His Majesty should deign to accept the proposal. As regards the *Prince of Wales*, the Brazilian Government have agreed to pay, under protest, a certain sum by way of compensation, and that offer has been accepted. By the last accounts from Rio the excitement which had been occasioned by the seizure of the Brazilian vessels had ceased, and I trust that the matter has now been arranged satisfactorily, and that the amicable relations which ought to exist between the Government of Her Majesty and that of the Emperor of Brazil will be restored.

ADDRESS TO HER MAJESTY ON THE LORDS COMMISSIONERS' SPEECH.

REPORT.

MR. BAZLEY *brought up* the Report of the Address in answer to the Lords Commissioners' Speech.

MR. BENTINCK said, that in former times, when it was not intended to offer any opposition to the Address in answer to the Speech from the Throne, the opinion of the House was generally considered to be expressed by the speeches from the front benches. That was the case in the days when the House was divided into two great parties. But he ventured to think that the union and action of party could only be harmonious and effective when the organization of party rested upon principle; and he for one thought that, unfortunately both for themselves and the country, the occupants of the front benches on both sides of the House had for some years past been in the habit of sacrificing principle to expediency—though he did not think that the expediency upon which they had sought to act always promoted the object in view. It appeared to him that they had come to that pass when the occupants of the front benches neither exercised a very large influence over the opinions of that House, nor fully represented the opinions of the people of this country. There was no other resource, therefore, for private Members but to trespass on the patience of the House, and he would do so on that occasion with the view of making a few remarks on the topics referred to in the Royal Speech. The subject which seemed likely to occupy the largest share of the attention of the House was the proposed cession of the Ionian Islands. He should be very sorry, in the present state of the proceeding, to commit himself to any opinion as to the course he might think it right to take upon per lb. bore only a duty of 9*s*. The same inequality might be found in the duties affecting tea, sugar, and other articles of necessity. He thought, therefore, that the working classes had a right to ask that such questions as these should be considered with reference to any Reform Bill that might be submitted to the consideration of the House. On the other hand, he thoroughly went along with the hon. Member for West Norfolk in his observations regarding the Lancashire distress. He should like to know from those Gentlemen who represented localities in the north of England what was the course which had been adopted in the manufacturing districts in respect to the Bill which was passed at the end of the last Session of Parliament—he alluded to the measure which enabled those localities to rate themselves in a way best calculated to relieve the distress which fell so heavily upon the working classes in those districts. As far as he understood, there were only a few instances where the rates had risen to the amount of 3*s*. in the pound, when the Board of Guardians had availed themselves of that Bill. It was provided that in such an eventuality the parishes concerned could obtain a rate in aid. Now, he believed that the measure in question had never, with one or two exceptions, been acted upon. There were many parishes in the metropolis whose normal state was a poor rate of 3*s*. in the pound and upwards. A Bill was a short time ago brought into the House with the view of effecting an equalization of the poor rates in the metropolis. It, however, obtained no general support then, as it was objected that such a measure was opposed to the principles of political economy. Now, he did not think that political economy had any more to do with that particular question than it had with the principle of the Poor Law in general; and he contended that the measure which was passed at the end of last Session to relieve the distressed districts was one which in effect adopted the principle of equalization of rates for the relief of the poor. A Committee sat last Session on the question of Poor Relief, when evidence was given on the subject of equalization of rating to the relief of the poor, and he supposed it would continue its labours this Session, and he trusted the Government would turn their attention to the subject, with a view to the equalization of the rates, not in the metropolitan district only, but throughout the country. He made those observations for the purpose of drawing the attention of the House and the Government to this question of the equalization of the poor rates, which he considered to be one of the most vital importance. The Act of last Session was a step in the right direction. Subscriptions, however, had come in most liberally for the relief of the operatives, and the several Boards of Guardians had chosen to accept the contributions of the benevolent rather than adopt a course which would have thrown a heavier local taxation upon themselves.

Mr. GRANT DUFF said, he must express his regret that the Government had not thought it advisable to introduce into the Speech from the Throne any allusion to any one subject which was generally connected in the minds of the people of this country with the liberal party. In their foreign policy he concurred, nor was there one count in the long indictment brought against the Government last night upon which he should not be inclined to pronounce a verdict of acquittal. Even on the difficult question of Schleswig-Holstein he thought it would turn out that the solution proposed by the noble Lord at the head of the Foreign Office would prove to be the only solution which would prevent that long-standing and embittered controversy leading to a bloody war. But had the country arrived at such a point of political development that nothing remained to be done at home, and that all the energies of the Government must be employed in extending the blessings of constitutional Government to other nations? Such an assertion might be refuted by the example of Holland, a country much in advance of Great Britain in some material points of political development. He rejoiced to learn that there was some prospect of a reduction in the expenditure. Reduction of expenditure was a good thing; but for this few thanks were due to the Government. The House had to thank, in the first place, the convictions of the hon. Member for Halifax (Mr. Stansfeld), and next the tactics of the right hon. Member for Buckinghamshire (Mr. Disraeli). How did it happen that not one of the questions brought forward by the liberal party, and supported by them upon divisions, was alluded to in the programme of the Government? He thought it was the general opinion of the country that the question of Reform should for the present be laid aside; but there were many other questions which the Government might have taken up—for instance, the question of church rates, which year after year had been dragging its slow length along, and which now seemed further than ever from solution. Then there was another question—a Clergy relief Bill, which ought to be brought forward by the Government; for without some such measure being passed into law they would see the pulpits of the Church of England filled by a set of men who would have no relation whatever to the once learned and refined clergymen of that Church. What he complained of now was that the Government were not bringing forward any measures: it was not that they were to have half a loaf, but that they were to have no bread. The Government might say that they were willing to remain in office for the purpose of conducting the foreign affairs of the country, and of saving Europe from the calamity of having such a statesman as Lord Malmesbury for our Foreign Minister; but, in his opinion, the constituencies would support them in a bolder line of policy.

MR. NEWDEGATE said, he could not share in the regret expressed by the hon. Gentleman who had just sat down, that Her Majesty's Government had not promised to bring in measures which would have recommended themselves only to a section of the House. With respect to church rates, he had himself given notice of his intention to introduce a Bill on that subject, and he should rejoice if its provisions were of such a character as to secure the approval of Her Majesty's Government. He fully concurred in the opinion of the hon. Gentleman that the time had arrived for a settlement of this long-agitated question. It appeared to him that the present condition of the question opened a breach through which the enemies of the Church of England could approach the chief stronghold of our ecclesiastical establishment. He could not concur in the terms of the Address which echoed the sentiments of congratulation expressed in the Royal Speech upon the operation of the French Treaty. It was impossible for him to forget how it had affected the riband trade, and that this was the third winter during which he had been compelled to labour for the alleviation of the distress of the industrious classes around him, and that the French Treaty was in operation during the whole of that time. No one therefore could expect him to join in those congratulations to which he had referred. If the treaty had benefited the great mass of the community, he could only say he rejoiced at it. He had never opposed the principle of a treaty with France. Such a treaty as that concluded by Mr. Pitt was undoubtedly of the greatest possible advantage to this country; but he was sorry to say that the present treaty with France had imposed a heavy weight upon the shoulders of the constituency he represented, and from which very many thousands of honest men would, he believed, never recover. He hoped, then that the House would allow him, as far as his constituents were concerned, to except himself from joining in that portion of the Address to which he had referred. Her Majesty, in Her Royal Speech, had alluded to the fact that she had concluded a commercial treaty with Belgium. Now, it should be recollected that the products of Belgium come into competition with the products of the looms in his district. He had repeatedly brought before the House the fact that the conditions of the French Treaty were not reciprocal as regarded both countries; for whereas the conditions relating to the whole category of duties abolished in the treaty under the fifth article were absolute, the conditions for the admission of the products of Great Britain into France were qualified. The effect of such an arrangement was, as he had frequently stated, that England was bound to receive the produce of the whole world coming under the category of the article No. 5 duty free; whereas France was only bound to receive the produce of the United Kingdom, not of the Colonies, and that under a scale of duties which France under the treaty had the power to modify. If he were right as to his apprehensions of the effect of the fifth article of the French treaty, he wished to know whether the commodities imported under the category of the article No. 5 were not duty free under the operation of that treaty, and whether or not it was possible to modify the duty on the produce of Belgium and other countries under the said treaty? He was aware that the present Lord Chancellor when Attorney General, gave it as his opinion that the conditions of the French Treaty were in this respect reciprocal—that it was only the produce of France and Algeria that came under the provisions of Article 5 of the treaty. But he was per lb. bore only a duty of 9*s.* The same inequality might be found in the duties affecting tea, sugar, and other articles of necessity. He thought, therefore, that the working classes had a right to ask that such questions as these should be considered with reference to any Reform Bill that might be submitted to the consideration of the House. On the other hand, he thoroughly went along with the hon. Member for West Norfolk in his observations regarding the Lancashire distress. 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He was aware that the present Lord Chancellor when Attorney General, gave it as his opinion that the conditions of the French Treaty were in this respect reciprocal— that it was only the produce of France and Algeria that came under the provisions of Article 5 of the treaty. But he was advised by competent authorities that that opinion would be disputed, in consequence of "the most favoured nation" clause. If we were, then, to form treaties with other countries, and that "the most favoured nation" clause were introduced, he was afraid we should be found totally impotent as regarded other countries, because we should be precluded by the terms of the French Treaty. He trusted that the Government would at the earliest period lay the text of the Belgian Treaty before the House. In the general tenor of the Address he cordially concurred. He felt he would be wearying the House if he were to express the depth of the feelings of gratification which, as an individual, he experienced at the prospect of happiness which had dawned upon the Royal Family. But he wished to express his conviction distinctly upon one point, and it was this. He thought that the greatest praise was due to Her Majesty's Government in reference to the proposal that His Holiness the Pope should take refuge within the British dominions, should he be compelled to leave Rome. He thought that that offer by Her Majesty's Government was characterized by a due courtesy and a sound discretion. In 1861 he drew the attention of the House to the fact that rumours were afloat to the effect that in the event of the Holy See becoming vacant or of the Pope abdicating his functions, or leaving Rome, it was proposed to convene an œcumenical Council in this country. It was further rumoured that Cardinal Wiseman was to have exercised the functions of His Holiness, and that a successor to the Pope was to be appointed. This report was circulated principally on the authority of the *Indépendance Belge*. Now, this was an important matter. If an œcumenical Council were convened in this country, a vast number of foreigners would be attracted hither in consequence, and the Roman Catholic priesthood might be excited to the commission of acts which would be seriously resented by other parties. Such a feeling of irritation would be then likely to arise as would far exceed that which existed in 1851. He wished now to express the opinion that Her Majesty's Government, in answering the question put to them, whether English hospitality would be afforded to the Pope in the event of His Holiness being obliged to leave Rome, had replied in a wise and courteous manner, and that the site indicated by them as a residence for the Pope was a site well chosen as regarded not only his own interests, but also the interests of the United Kingdom.

SIR JAMES ELPHINSTONE said, that with respect to the cession of the Ionian Islands he entirely agreed with the hon. Member for West Norfolk (Mr. Bentinck), but he wished to know whether Her Majesty's Government had considered the question of the cession of the Islands in reference to the communication with India? In the event of a war with France, the route from England by Marseilles would of course be stopped, and the Adriatic would then be regarded as the direct route to the Indian possessions of this country; but if the Ionian Islands were given up, they would either be occupied by the enemy or become the resort of vessels which might cut off our communication with the Indian Empire. The Adriatic in time of war was a great battle-field for naval operations, and notwithstanding the different motive power now applied to vessels, it must still be an important position, and he could not regard the cession of the Ionian Islands as other than detrimental to this country, and he should oppose the measure as far as it was in his power to do so. Had the Secretary of the Admiralty been in his place, he should have put a question to him with respect to the iron ships now building; but he should take an early opportunity of inquiring what was the model which was to be finally adopted. Observing that the senior Naval Lord of the Admiralty had gone down to Devonport and informed the constituency that the iron fleet at present constructed consisted of exceedingly fine ships in every point of view, and were highly reported on by the Admiral on the Lisbon station, yet that "these," according to the words attributed to the Senior Lord in *The Times*, "would not form the model to be finally adopted," he gave notice that he should take an early opportunity of asking the Government what model had been finally adopted, and whether they had adopted any precise and definite views in reference to the construction of the iron fleet of this country. There was another point not mentioned in the Queen's Speech, but which must soon come under the consideration of the House, and on which the Government would have to explain their policy—he alluded to the renewal of the Galway contract. That was the most extraordinary circumstance that had happened within his recollection. It would be remembered what a great amount of political capital had been made out of that question, and that hon. Gentlemen now sitting on the Opposition side of the House had been vilified on account of the grant of that contract. He was told, indeed, that an hon. Gentleman had been made a Baronet in consequence of having held up that contract to execration. Yet, if the contract was at any time necessary, it was at the period of its grant, when there was a large efflux of emigration from Ireland to America. But now that that emigration was reduced to a small figure the contract was restored. Was that done with a view to a general election? The present Government availed themselves of every means of vilifying the Administration of Lord Derby by condemning that contract in every possible way for three long years, and yet now, on taking up *The Times* one fine morning, people discovered that the Galway contract was restored. What was the reason of that? If he was rightly informed, the terms on which the contract had been restored were of a most extraordinary description. Hon. Gentlemen opposite were once opposed to a sliding scale, but those who formerly stood up for free trade now recommended differential duties on various articles of commerce. They were all sliding back to the old thing; but the sliding scale he now spoke of had reference to speed. He was told that under the new Galway contract, if the vessels made 10½ knots an hour, the Government were to pay so much; for nine knots they were to pay another sum, and the scale went down to eight knots. Now, if a vessel, only capable of going eight knots an hour, were to cross the Atlantic against a westerly gale, she would not be likely to reach her destination at a very early period, and he was informed that some houses in the City had on this ground remonstrated against the arrangement. He should be glad to hear on an early day an explanation relative to the Galway contract.

SIR JOHN TRELAWNY said, he wished to avail himself of that opportunity of calling the attention of the House to a question involving a sum of £500,000, and the conduct of the Government in reference to appointments in the Colonies. The colony he referred to was New Zealand. If he were to say that they were spending £500,000 a year there uselessly, or were engaged in an unjust quarrel with the Native chiefs, he should expect to be counted out; for, on a former occasion of the kind, he had found every possible difficulty thrown in his way, of which he had great reason to complain. They professed that the Natives of New Zealand should have the rights of British subjects, yet they were overborne in the exercise of them, the Governor had been allowed to interfere in matters affecting private property, and to disregard the rights of individuals; and upon a war breaking out, for which the public of this country had to pay, complaints from the colony were unheeded and justice was not done. What he now specially referred to was the fact that the Government of this country had guaranteed a loan of £500,000 on the recommendation of a Committee, which recommendation was founded on evidence which was the reverse of the truth. The Governor, who had done all the mischief, was removed; but because he had abused his trust in one office he was appointed to another. And in the mean while the colony had been left in a state of chronic disorder. Thus the British Parliament became responsible for all this bad government. He could assure the House that there was a most serious case to be inquired into, and that they would be wanting in duty if redress were not given.

MR. HIBBERT, referring to the remarks of the hon. and learned Gentleman the Member for Southwark (Mr. Locke), that the unions in the distressed manufacturing districts had not made large use of the Act passed last Session, said, that he (Mr. Hibbert) knew that out of the nineteen or twenty unions which constituted the distressed cotton districts, ten or eleven were in a position to avail themselves of the Act. He knew also that since the Christmas quarter two of these unions had availed themselves of the rate in aid upon the counties of Cheshire and Lancashire, and five unions were availing themselves of the borrowing Powers of that Act. Therefore, it was scarcely fair to say that sufficient use had not been made of the Act of last Session. At the same time, however, he was well aware, that had it not been for the great sympathy which had been shown towards the distressed districts, many more of these unions would have come under the rate in aid. As one of the representatives of that district he was glad to take that opportunity of thanking the nation for the admirable manner in which it had come to the relief of their fellow-countrymen in their distress, and he could assure the House that Lancashire would be found willing, whenever appealed to, to contribute to the relief of distress which might be found to exist in any part of the United Kingdom. The Act of last Session, however, should have justice done to it, and he had no doubt that before twelve months were over it would be of great assistance to the people of Lancashire in enabling them to meet the distress which was still pressing upon them.

SIR JOHN WALSH said, that it was by no means an easy task to draw up a Royal Speech in which a great variety of subjects were to be touched upon, without at the same time raising opposition in some quarter; and in the endeavour to secure the concurrence of all parties, not only much diplomacy was displayed in dealing with different subjects, but matters of importance were sometimes omitted altogether. To adopt a figure of speech—usually termed an Irish bull—it sometimes happened that the most important parts of the Speech were its omissions. There were, however, one or two subjects in which the public had been interested lately, to which some allusion, he thought, might with propriety have been made. One of those subjects, the Home Secretary would say, was already referred to a Commission; he alluded to that of transportation and secondary punishments. He was not at all anxious to go into the question; but in his experience of Parliament and the ways of Government he had had occasion to remark that Commissions were often appointed for two very opposite purposes. One was to elicit most valuable and complete information, by means of an investigation for which a Commission was more competent than a Committee of the House of Commons, and thus to lay a foundation for sound practical legislation. But there was another object for which Commissions had sometimes been appointed, and that was the evasion of a subject altogether. That was one of those dexterous acts of Government which were not altogether unfamiliar to most of them. He did not think that the Commission on the question of transportation had been appointed with any such intention. The question was a grave one, and called for serious discussion; and, according to the general feelings of the country, there was a call for some great change in legislation—a change which he thought could not be avoided. It was a subject which could not be lost sight of, and what he wished to observe was, that the Government should endeavour, at as early a period of the Session as practicable, to bring the labours of the Commission to some sort of conclusion, and to place in the hands of hon. Members materials for legislation in the course of the present Session. There was another subject, the absence of which was a noticeable feature of the Speech, and that was the much-vexed question of Reform. Even his hon. Friend the Member for Brighton (Mr. White) had not proposed an Amendment to the Address because of the omission, being deterred, no doubt, by his former ill success. He hoped the omission was because Her Majesty's Ministers were convinced that throughout the country there was absolute indifference to the question. There was no pressure on the Ministers, and therefore he hoped they would not move in the matter; and, indeed, the noble Lord at the head of the Government was perhaps not much inclined to start this organic question. There had been a battle raging in different parts of the country as to whether or no there had been a Conservative reaction—whether there was a turn in the tide, or whether there was still only a little lull, and the great Reformers were only retiring that they might jump forward with greater vigour. In one sense there was no reaction whatever. A great number of very important measures had been carried in the course of the last thirty years; and on none of these questions was there any disposition in any quarter of the House or the country to retrace their steps. To some of those measures the Conservatives gave a consistent and steady opposition. In respect to some they admitted candidly they might have been mistaken in their estimate of the results that might follow from them. There were other measures which they still thought did not work well. But he did not think that in the Conservative ranks, any more than on the other side of the House there, was any desire for change; they were ready to accept the existing state of things. There was a general feeling in the country against pushing democratic reforms too far; and he thought that those Gentlemen who were considered the leaders of democratic progress in this country, if they were candid and acknowledged the truth, would admit that there was a disposition now to remain tranquil. The number of those who cheered them was fewer, and the cheers were less vociferous. So far as he had been able to observe from significant speeches of hon. Members to their constituents, the former were sensible of the influence of this spirit of Conservatism, and also felt that there was a disposition, even on the part of those who sat on the same side of the House as themselves, not to push reforms farther. These Gentlemen acted judiciously for the promotion of their own cause. He elicited from their speeches that they began to contemplate getting more out of the Conservative side of the House than they got from their own *quondam* friends. It appeared to him that these hon. Gentlemen were beginning to follow the historical example of the Prætorian Guards of the Roman Empire, who put the empire up to auction, and sold it to the highest bidder. He really thought that they were showing great dexterity, great knowledge of human nature, and that they were wise in their generation, considering that they were a minority in the House and not a large one, and that in the present state of parties they could make either the Opposition or their old friends a majority, and thus to a certain degree held the scale in their hands. He saw the policy of such a course; and he had no doubt they would carry out the policy with perfect consistency. What he did not see was any possible gain the Conservatives could have in lending themselves to such a combination. The Conservative party, whether in or out of office, had but one course to pursue, and that was to maintain Conservative principles. Twice in the course of the last few years a Conservative Administration had attained a brief tenure of office, and the results of that experience must have convinced the Conservative party that to accept office whilst they were in a minority in this House was not to further Conservative policy, and did not tend to elevate the Conservative character. He believed that if the experiment were made at the present time by the Conservatives of governing the country, it would be injurious to their character, their position, and the reputation they enjoyed in the country. He believed that gradually, certainly not quite so speedily, but eventually with much greater stability, the Conservative party would again be at the head of affairs. He believed they would be at the head of affairs because they would gain the confidence of the constituencies at large; and that they would be supported by a clear and undoubted Conservative majority in that House. That day would come; perhaps it might not be a very distant day, but he was quite sure that the great majority of the Conservative party would never wish again to accept office until that state of things arrived.

Mr. DARBY GRIFFITH said, he wished to make a few observations with regard to the events in the Levant and the proposed cession of the Ionian Islands. He wished to know how the cession of these Islands to Greece was reconcilable with the policy pursued by Her Majesty's Government, particularly by the noble Lord at the head of it—a policy which he had pursued at all periods—the policy of maintaining the independence and integrity of the Turkish Empire? A country like Greece commanded the affection of all enlightened and educated people. It had recently made a revolution, in which the inhabitants had deposed the Sovereign given to them thirty years ago; and now we were making them a present of this territory which had practically formed part of the British dominions since 1815. The Ionian Islands were given to us to hold because they excited the ambition of other great Powers of Europe, who at one time or other had possessed them, to protect them from the recurrence of those attempts, and they had been practically treated as part of the possessions of the Crown of England. In fact, it was not till 1848, when that unfortunate power of self-government was made over to them upon the wildest democratic principles, by a Government of which the noble Lord was himself a leading Member, that any difficulty was found in dealing with them. Now, as regarded the integrity and independence of the Turkish empire—that political formula with which the noble Lord's name was associated—how was it likely to be affected by this surrender? We were giving the Greeks an extension of territory, with a fortress which we had made one of the strongest in Europe; and then they were told that they were to put it to no use; whereas the use which they would consider legitimate would be to recover some part of their ancient possessions. The fortress of Corfu fronted immediately the Turkish territory of Albania, from which it was separated by a strait so narrow that it might be crossed in a fisherman's boat. Then they told the Greeks a contradictory story—in the one case, that they gave them these Islands, and in the other, that they were to have them but not to make use of them; and yet the only use the Greeks could make of Corfu would be to attack the country of Albania, which is in a chronic state of rebellion against the Turkish Government. Looking, then, at this cession as so contradictory in itself, and so eminently opposed to the conduct of the noble Lord in regard to the fortress of Belgrade, he could not regard it as an emanation of that perfect wisdom which came from judgment and calm deliberation, but as one of those expedients by means of which Governments from time to time got out of difficulties that occurred to them. He quite concurred in the generous feeling that had dictated this act on the part of Her Majesty's Government; but having regard to the fact that the Government of Greece was not particularly stable or sufficiently powerful to protect them from the aggression of other Powers—for nobody could say that Russia or France might not pounce upon them—he was bound to consider the proceeding as more a matter of generosity on the part of the Government than an act of wise statesmanship, or as the result of the deliberate opinion of the country, or even of the more intelligent portion of the Ionians themselves. Then he would like to ask, if it was the constitutional doctrine of the prerogative of the Crown that a Minister acting for the Crown can give up any portion of the territory belonging to it without ascertaining what the feeling of the Parliament and the country is—if that were so, was it a desirable thing to do it? Could they give away Canada in the same way? He contended that they were by no means to take as conclusive and authoritative the proceedings of a Government during the recess, when no longer subject to the supervision of Parliament, and that all such matters must be left entirely open to be dealt with as Parliament may think fit. Turning to another subject, he thought with the hon. Member for Radnorshire (Sir John Walsh) that there could be no greater delusion than to suppose that there was a Tory reaction in this country, or that there was a disposition in the country to support the Conservative party, except on the understanding that it would act in a reasonably Liberal spirit. Any chance indication, such as an individual election, might be a false barometer of the public feeling. There could be no doubt that the noble Lord (Viscount Palmerston) was personally popular with the country—a result due to a great extent to his great physical and intellectual activity at a venerable stage of human existence; and this was shown by the fact that when a Member on that (the Opposition) side of the House offered himself for election he declared that he would not offer any factious opposition to the noble Lord. The only pledge that ever he took himself was something of that kind, which he had endeavoured to fulfil always in so far as it was compatible with public utility. Therefore, he warned them against that epidemic delusion which came up at the end of last Session, should it rise again, that no such combination as that of the Gentlemen on his side of the House with the Radicals would succeed. He believed that the Tory and Radical cross, if attempted this Session, would be a complete failure. He believed that it belonged to those who were not Radicals, and yet did not go for Tory dominion—that is to say, for the independent Members—to turn the scale if any such combination as was attempted last Session should be tried again. If those two parties had any principles at all, no two elements ought to be so dissimilar. They did not, of course, know what might be in prospect this Session. There was a lull at present; but he did not think that any such patched-up combination as that to which he had referred—comprising the most dissimilar elements—would be likely to succeed.

Address *agreed to:*—To be *presented* by Privy Councillors.

THE LORDS COMMISSIONERS' SPEECH.

The Lords Commissioners' Speech to be taken into consideration on *Monday* next.

ADJOURNMENT OF THE HOUSE.

Motion, that the House at rising do adjourn till *Monday* next.

POOR REMOVAL.—QUESTION.

Mr. HERBERT rose to ask the President of the Poor Law Board the Question of which he had given notice, Whether any Circular has been addressed by the Board calling the attention of Boards of Guardians in England to the provisions of the Act 24 & 25 *Vict.*, c. 76, relating to the removal of Irish Paupers from England to Ireland; and, if so, whether he will have any objection to lay such Circular upon the table of the House? The subject was one of very great importance, both to this country and Ireland. It would be remembered that during the Session of 1861 two Acts passed—one altering the law of removability which was applicable to English and Irish paupers seeking relief, and the other regulating the mode of removal of poor persons from Ireland to England. In the English Poor Law Report presented last Session he found detailed at considerable length the particulars of the Acts passed relating to the change made in the law of irremovability; but there was no trace in the Report or Appendix of the President of the Poor Law Board having called the attention of boards of guardians to the Acts relating to removals from England to Ireland. He was the more astonished that no notice should have been taken of that Act because he could not suppose that his right hon. Friend who showed such a laudable anxiety for the passing of the Acts of last Session should have allowed them to have been totally inoperative. He presumed, therefore, there was some circular or notice taken of this Act by the President of the Poor Law Board, which he had not thought it necessary to embody in his Report. So far back as the 30th of November, 1861, a correspondence took place between the Irish Government, the Home Office, and the Office of President of the Poor Law Board, in which the Irish Poor Law Commissioners said—

> "It was not until some time after the passing of the recent Acts that any removal to Ireland took place under them. Removals are now, however, beginning to be frequent; and the Commissioners regret to say that among the 29 cases which have come under their notice, involving the removal of 67 persons to the present date, there are very few in which some irregularity or disregard of the law is not apparent on the face of the proceedings, sometimes attended with injustice and loss to the unions in this country, and in other cases with hardship to the persons removed. Considering the great importance which, under existing circumstances, this system of pauper deportation may assume, the Commissioners think it their duty to present the cases referred to in detail, with copies of the several warrants of removal which have been received, in the hope that possibly some step may be taken in order to secure greater attention to the actual state of the law on the part of the removing authorities in England."

He would only quote one case as an illustration of many—the case of Catherine Griffin, removed from Leigh, in Lancashire. In the month of March she was placed on the deck of a steamer, which, at that season of the year, was contrary to law, and left drenched on the quay at Dublin, to find her way to the workhouse, where she and her children remained a burden on the North Dublin Union, the guardians having no redress, although, being a native of Ennis, she ought to have been removed to the union near Limerick. On the 29th January, 1862, the Poor Law Commissioners wrote to the Under Secretary of the Lord Lieutenant complaining on the subject and urging the necessity of some change. They said—

> "The total number of cases now reported is 46, and the number of persons included 98, which, added to the number previously reported, makes 75 cases, including 165 persons. It will be observed that the more serious irregularities noticed occur in the cases of removal from parishes or unions in the London metropolitan district, inasmuch as those provisions of the recent Act which were intended to secure a proper custody and delivery of the pauper in Ireland, and to prevent women and children being sent by deck passage during the winter season, appear in that district to be almost uniformly neglected."

His right hon. Friend (Mr. Villiers) asked whether that letter had been addressed to the Poor Law Board; and he replied it certainly was not, but it was referred to them; and had they been able to controvert any of the statements it contained? He held in his hand the reply of Mr. Fleming, the English Poor Law Secretary, dated "Poor Law Board, Whitehall, January 22, 1862," and it was in these words—

> "I am directed by the Poor Law Board to acknowledge the receipt of your letter of the 21st ult., and the documents which you therewith forwarded to them by direction of Secretary Sir George Grey, relative to the operation of the recent statute, 24 & 25 *Vict.*, c. 76, with regard to the removal of poor persons from England to Ireland. The Board direct me to state that they have carefully perused the several documents which were forwarded with your letter, and that they regret to perceive that in many of the cases adverted to great irregularities have occurred in the proceedings of the justices and of the boards of guardians in England in regard to the removal of poor persons to Ireland. It would not be within the province of the Poor Law Board to express any opinion upon the conduct of the justices with regard to the irregularity of their proceedings in such cases; but as the guardians of the several unions in England have not yet become fully aware of the requirements of the new statute, the Board propose shortly to issue a circular letter to boards of guardians in which they will point out the new provisions of the law with regard to Irish removals and the course which ought to be adopted in effecting the removal of the Irish poor who have

not acquired settlements in England and are removable to Ireland."

He could not but believe, therefore, that some circular letter to boards of guardians had been issued pointing out the provisions of the law with regard to Irish removals; and, if so, he hoped it would be produced. On a future occasion he should be able to show that the system complained of was still in full operation. The letter concluded thus—

> "With regard to the violation of the provision in the 6th section of the 24 & 25 *Vict.*, c. 76, the Board trust that such violations will be of unfrequent occurrence. If, however, contrary to the Board's expectations, they should become frequent, they think it would become necessary to consider whether an Act should not be passed imposing a penalty, recoverable on summary conviction, upon persons who may be proved guilty of infringing the statute."

He would therefore beg to add to the Question of which he had given notice, Whether it was the intention of the President of the Poor Law Board to propose any such remedy as is here suggested to remedy the abuses complained of?

Mr. C. P. VILLIERS said, he regretted that his right hon. Friend had not given him notice of the cases of ill-treatment to which he had referred, because he should have felt it his duty to direct immediate inquiry to be made as to them. The Act in question was one of such great notoriety at the time of its passing that it was thought unnecessary to call attention to it. It was very simple, and, as he thought, not at all likely to be misunderstood; and the Poor Law Board, consequently, had thought it unnecessary to issue any special instructions as to the manner in which it was to be carried out. If the English guardians and justices did not comply with its provisions, it was no special duty of the President of the Poor Law Board to notice it. The irregularity might be brought to the notice of the Poor Law Board, and inquiry would be immediately instituted; but the Board were not responsible for the neglect of duty on the part of persons whose business it was to apply the law. They were in the same position as any other persons who neglected to enforce an Act which it was their duty to apply. There had not been any cases brought under his notice of the description alluded to by his right hon. Friend. If the hon. Member would give him the dates of the cases to which he had referred, he would cause full inquiry to be made.

COLONEL DUNNE was at a loss to know to whom an appeal was to be made in such cases if not to the Poor Law Board. He had opposed the Act from the first, knowing perfectly well that it could not be fairly carried out. The cruelty of these deportations was on the increase.

Mr. W. WILLIAMS said, the law respecting the removal of Irish poor was precisely the same as that which applied to the case of English and Scotch paupers. He believed that in every case of removal the greatest possible forbearance was manifested. Frequently Irish poor refused to tell the part of Ireland to which they belonged. In many instances, in a strong Irish dialect, they declared that they knew nothing whatever of Ireland. Consequently, several of them remained for months in a workhouse before the place that was chargeable with their relief was discovered. The parochial officer took great pains in such matters; he adopted various steps to ascertain the facts, and stated upon his oath before the magistrates his belief that the information he had obtained was correct. Frequently Irish paupers refused to be sworn when questions were about to be put to them as to their place of birth, &c. Irish paupers were a great burden upon English parishes.

After a few words from Mr. PULLER,

Motion *agreed to.*

House, at rising, to adjourn to *Monday* next.

RAILWAY BILLS BILL.

LEAVE. FIRST READING.

Mr. WHALLEY, in moving for leave to bring in a Bill "for diminishing the expense attending the passing of Bills relating to Railways and affording facilities for obtaining ample and trustworthy information thereon," said, that he had brought the subject before the House so far back as 1853, and he was then told by the hon. Member for North Lancashire (Colonel Wilson Patten) that the subject was being inquired into, and that it was unnecessary to make any Motion upon it at that moment. The present system occupied the time of some of the best Members as Chairmen, and of a great number of other Gentlemen as members of these Committees, and greatly interrupted the discharge of their ordinary Parliamentary duties in the House. The result of the inquiry by the Committee of 1858 was to show a unanimous concurrence of opinion that the present tribunal was attended with almost every possible inconvenience and disadvantage. The proper principle was to refer such investigations to a department of the Government, subject, of course, to a review of their decisions by either House of Parliament. It was now some twenty-five years since the Tithe Commissioners were first appointed. Questions of far greater moment than even the important questions in relation to new lines of railway had been referred to the Tithe Commissioners; and yet such were the means adopted for checking and controlling the operation of the law that there had never been any substantial complaint of the way in which they had exercised the powers intrusted to them. Twelve years ago the subject of enclosures was referred to another Commission, constituted upon the model of the Tithe Commission, and that part of the private jurisdiction of the House was withdrawn without dissatisfaction and without complaint. The year before last another step in the same direction was taken in reference to piers and harbours. He now thought the time was come when something ought to be done in defence of the interests of those parts of the country which were not already provided with railways. The practical effect of the present system was to render it almost impossible for any local company to get powers to make a local line. In the case of a company of this character, of which he was chairman, they expended £86,000 before they obtained their Bill to construct a line eighteen miles in length. They had to prepare plans, to give notice to every one who could possibly be affected, and to contest the scheme before Committees of both Houses, because one great company feared that they might be indirectly injured or that their great rival might be benefited. It was scarcely possible to conceive anything better adapted than the present machinery to prevent the investment of money in the improvement of districts at present unprovided with railway accommodation. Mr. Hope Scott, who had had great experience of railway contests, said he always gave his clients a stereotyped answer—

> "I can't advise you absolutely upon your prospects of success. There is so much uncertainty that all I can say is, I think you have a chance."

His proposal was almost identical with the course pursued in France and other countries, and was in strict conformity with the opinion of the experienced men who gave evidence before the Committee of 1858. It was, that promoters should send a short prospectus, stating the estimated cost and general course of the line, to the Board of Trade, that the Board of Trade should direct an inquiry to be made whether the proposed Railway was wanted, and that, if it appeared to be necessary, the Board of Trade or other Department, for which the Government would be responsible, should issue a provisional order, upon which the promoters should direct a survey to be made and notices to be served in accordance with the present Standing Orders. When the proper Department had by these means been thoroughly satisfied not only that the line was required, but the plan and all the other essential matters had been properly arranged, he proposed that exactly the same course as had for thirteen years been taken by the Enclosure Commissioners should be adopted, and that a Bill should be sent to that House to enact that a railway should be constructed in accordance with certain plans. The House would then, of course, be at liberty to revise the whole matter as they thought fit, but as a matter of course the measure was not to go before another Select Committee. Such was the object of the Bill which he now begged to move for leave to introduce.

Mr. HADFIELD expressed his approval of any proposition the effect of which would be the lightening of the heavy expenses to which railway companies were subjected in passing Bills through the House. There was one notorious case of a railway, the engineering and law expenses in connection with which amounted to £680,000. One indefensible part of the expense was the enormous fees paid to the "leading counsel" practising before Parliamentary Committees, who very frequently, if they carried out their engagements, ought to appear before half a dozen Committees at once, while able men in stuff gowns were to be secured whose services would be in reality more efficient, inasmuch as they could attend to the cases which they undertook. The consequence was that very few barristers gave their exclusive attention to any one case, and it would be far better for the clients if they could have the services of men in stuff gowns than have to fee gentlemen in silk, who would undertake the advocacy of any number of cases and attend to none. It was an undeniable hardship that a man, whose property was about to be interfered with by a proposal for a railway, should be obliged to present himself before a Committee to defend it, and to incur the great expense of feeing counsel, and actually paying for reporting the evidence on his own side and the House fees in addition. He hoped the Bill of the hon. Gentleman would have the effect of providing a remedy for that state of things.

Sir PATRICK O'BRIEN thought that cheap law was about as bad a thing as possible, and he thought that to carry on a local inquiry on the spot where the persons differently interested resided would be the worst possible thing that could take place. As to the fees to counsel, it was for the public to judge the value of the services of counsel, and not for Parliament to meddle with small details of this character. He protested against such a suggestion that these gentlemen were not entitled to the remuneration which the public were willing to give them. They were men of great ability and learning, and afforded the Committees very great assistance, such as could not be obtained from any attorney ill-informed on these subjects who attended on the spot. Though not a member of the Bar now, he had been, and protested against this meddling interference with that which was a free-trade principle, and which secured to men eminent in their profession what had been called a high rate of remuneration.

Mr. MILNER GIBSON said, that the question of the emoluments of counsel was not embraced in the measure now proposed by the hon. Member for Peterborough. The hon. Member proposed a scheme for diminishing the expense of Railway Bills; and if he could devise a scheme to accomplish that end consistently with security to the land-owners and the various other interests affected, he would undoubtedly confer a great benefit on the country. He (Mr. Milner Gibson) thought the House ought to give the hon. Member leave to introduce the Bill; but he did not consider it probable that the House would part with the powers it now exercised in private legislation to so great an extent as proposed, without deliberate inquiry into the subject. He should like, before expressing any opinion, to have heard the views of those hon. Members whose great experience in Private Bills, and the attention which they had given to these subjects, entitled their opinions to great weight. It was possible that his hon. Friend would be able, from the consideration he had given the subject, to frame clauses in a Bill which would form the basis of a good scheme; and he thought, therefore, they should allow his hon. Friend to submit his measure to the consideration of the House.

Mr. Serjeant PIGOTT said, that there were no doubt evils in the present system which it was very desirable, if possible, to remove, and if the hon. Member for Peterborough should succeed in devising a scheme to remove them, he would deserve the thanks of the country. The great object which they ought to endeavour to accomplish was to diminish the expenses which the prosecution of those Bills now entailed. But he would warn the hon. Gentleman that the constitution of a private tribunal for deciding those cases would not lead to the attainment of that end. If the new court of inquiry was to partake of the character of a system of arbitration under which inquiries were to be made upon the spot where the works were to be constructed, it would, he believed, be found even more expensive than the present Committees of the House of Commons. A local inquiry had been instituted in the case of a water-works scheme at Reading, and he believed the parties were anything but satisfied with the result. He thought it very desirable that they should direct their attention to the subject, and that they should for that purpose proceed to a consideration of the Bill which had been brought forward by the hon. Member for Peterborough; but if they were to pass any measure in the case, he hoped that measure would be made to extend to Private Bills of every description as well as to Railway Bills.

Mr. WHALLEY replied.

Motion *agreed to.*

Bill for diminishing the expense attending the passing of Bills relating to Railways, and affording facilities for obtaining ample and trustworthy information thereon, *ordered* to be brought in by Mr. Whalley and Mr. M'Mahon.

Bill *presented,* and read 1°. [Bill 6.]

CHURCH RATES ABOLITION.

LEAVE. FIRST READING.

Sir JOHN TRELAWNY moved for leave to bring in a Bill to abolish Church Rates. He understood that there would be no opposition to the measure at that stage of the proceedings, and he should not, therefore, at that moment trouble the House with any observations upon the subject.

Motion *agreed to.*

Bill *ordered* to be brought in by Sir JOHN TRELAWNY, Sir CHARLES DOUGLAS, and Mr. DILLWYN.

Bill *presented,* and read 1°. [Bill 2.]

DRAINAGE OF LAND (IRELAND).

LEAVE. FIRST READING.

COLONEL DICKSON, in moving for leave to bring in a Bill to amend the Law relating to the Drainage of Land in Ireland, said, it was not necessary for him to dwell upon the details of the measure, which was similar in most respects to the Bill which he introduced and which was discussed last Session. There were, however, two points of difference between that Bill and the present. One was a power to borrow money under the provisions of the Bill, and the other a power to make alterations in the bridges over the waters proposed to be drained. He regretted to say that great distress existed in Ireland—distress peculiar to itself, and which fell heavily at periodical seasons upon the people. He hoped he would be distinctly understood as not asking for charity; but he meant to say the distress in Ireland was such as no person in this country could have any idea of. It was distress such as no description of his could exaggerate, and was beyond the means of the resident gentry to remedy. He did not ask for any temporary assistance—that they obtained in former times, but instead of its having been employed as it ought to have been, it was, on the contrary, expended in the most extravagant manner to the amount of millions. If they could get a power to borrow money, great good would arise to the unemployed labouring classes of Ireland. He therefore begged to move, in conclusion, for leave to bring in the Bill.

MR. HENNESSY seconded the Motion.

SIR ROBERT PEEL, in replying, on the part of the Government, to the observations made by the hon. and gallant Member, said, that as he understood the Bill to be similar, in most respects, to that brought in last year, and recollecting that the Bill had been well received by the House, he should not offer any opposition to the Motion. There were, however, several points in the Bill of last year, particularly as regarded the limits of drainage, which were deserving of serious consideration. With regard to the power of borrowing money, he might observe that within the last fifteen or twenty years money Bills had passed through that House in relation to the draining of land in Ireland, and amending previous Bills; and if his hon. Friend should be more successful than others in the objects he had in view, he should be very glad to assist him in carrying out those objects.

Motion *agreed to.*

Bill *ordered* to be brought in by Colonel DICKSON, Colonel FRENCH, and Mr. HENNESSY.

Bill *presented,* and read 1°. [Bill 7.]

SALMON FISHERIES (IRELAND).

MR. M'MAHON moved for leave to bring in a Bill to assimilate the Law of Ireland as to Salmon Fisheries to that of England.

SIR ROBERT PEEL said, he did not rise to oppose the introduction of this Bill; but a great deal of agitation existed in Ireland in relation to the rights of parties in the upper and the lower waters, and in relation to that part of the Bill he thought his hon. Friend might expect to meet with considerable opposition. He could only say, if the question could be satisfactorily defined and settled, great advantage would be gained. He therefore trusted that in the framing of the measure his hon. Friend would avoid, as much as possible, going into those questions which interested parties might look upon as a proposal amounting to a confiscation of their rights.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. M'MAHON, Colonel DUNNE, Colonel FRENCH, and Mr. LONGFIELD.

Bill *presented,* and read 1°. [Bill 1.]

QUALIFICATION FOR OFFICES ABOLITION.

Qualification for Offices Abolition,—*considered* in Committee.

(In the Committee.)

Resolved,

That the Chairman be directed to move the House, That leave be given to bring in a Bill to render it unnecessary to make and subscribe certain Declarations as a Qualification for Offices and Employments.

Resolution *reported,*

Bill *ordered* to be brought in by Mr. HADFIELD, Sir MORTON PETO, Mr. BAINES, and Mr. KERSHAW.

Bill *presented*, and read 1°. [Bill 4.]

ENDOWED SCHOOLS.

Endowed Schools,—*considered* in Committee.

(In the Committee.)

Resolved,

That the Chairman be directed to move the House, That leave be given to bring in a Bill to amend the Law relating to Endowed Schools.

Resolution *reported*.

Bill *ordered* to be brought in by Mr. DILLWYN and Sir CHARLES DOUGLAS.

Bill *presented*, and read 1°. [Bill 3.]

JUDGMENTS, &c. LAW AMENDMENT.—Bill to amend the Law relating to future Judgments, Statutes, and Recognizances, *ordered* to be brought in by Mr. HADFIELD, Mr. LOCKE KING, and Mr. POWELL.

Bill *presented*, and read 1°. [Bill 5.]

House adjourned at half after Eight o'clock, till Monday next.

HOUSE OF LORDS,

Monday, February 9, 1863.

HER MAJESTY'S ANSWER TO THE ADDRESS.

THE LORD STEWARD *reported* Her Majesty's Most Gracious Answer to the Address, as follows:—

"MY LORDS,

"I SINCERELY thank you for your loyal and dutiful Address.

"It is particularly gratifying to Me to be assured that you participate in My Feelings on the intended Marriage of the Prince of Wales, and in the Confidence that by God's Blessing this Event will Conduce to the Happiness of My Family and the Welfare of My People."

CHARITABLE ENDOWMENTS.

QUESTION.

LORD WROTTESLEY inquired, Whether the Government propose to introduce any Measure for the Purpose of carrying into effect the Recommendations of the Education Commissioners in reference to Charitable Endowments? The Question related to a subject of considerable importance and interest. It would not be difficult, to show that both the education of the poor and their general welfare might be advanced by an improved administration of our charitable endowments. Having acted for several years on a Commission of Inquiry into these charities, and having been a Member of various Committees to which were referred Bills for the establishment of a permanent Charitable Commission, he had read with great interest that part of the Report of the Education Commissioners which described the present condition of those endowments, and suggested measures of reform. The evils and abuses there described were not new to him. As far back as 1835, when he was examined before a Committee of the House of Commons on the subject, he had suggested remedies for some of them, and, in common doubtless with many of their Lordships, he had hoped that the Bill of 1853 would have provided a remedy, if not for all, at least for a considerable part of them. It would be remembered, however, that during the progress of the Bill through a Committee of their Lordships' House some of the powers proposed to be conferred on the Commissioners were considerably curtailed, owing, perhaps, to some mistrust of a new and untried Board. But, although he had been disappointed in that hope, still much good had been done by the labours of the able Gentlemen who conducted the inquiry. Under the present system, a sum amounting to about a million and a half a year, was distributed among the poor from charitable endowments, and he thought it no exaggeration to say that a large portion of this sum was wasted, and worse than wasted, for it was applied in ways that were positively mischievous. A portion of the money was applied in paying the stipends of grammar schoolmasters who had very few pupils, and who wished to have none. Another portion was employed, or rather squandered, in the encouragement of profligacy and vice. The evils of the system were so great, and the advantages that would follow a reform so manifest, that one was sometimes inclined to wish that Parliament should at once pass a general measure to put an end at once and for ever to all the absurdities annexed to bequests by founders, who thought they could foresee the wants of the community throughout all time. There were several classes of foundation to which it was desirable the attention of the Legislature should be called. The first was that numerous class in which some portion of the income of the charities was directed to objects which were generally admitted to be good—such as schools or hospitals—but in which the larger portion was applied to objects of a more questionable character which overshadowed those that were beneficial. The next class was that in which the object of the charity was a good one at the time of the foundation, but had, owing to the altered state of local circumstances or to the changed state of society generally, become one which it was difficult or impossible to carry out, or which, at all events, was at variance with enlightened views of public policy. There was another class which was one in which the foundation itself was good—where no fault was to be found with the trust—but where the administration was bad. Much information on this subject was contained in the Report of the Education Commissioners, a document of which it was impossible to speak too highly. He did not mean to say that he concurred in all the recommendations of the Report, but, as a great and impartial account of the state of popular education at the time it was written, and as a document distinguished for liberal and enlightened views, it was impossible to over-estimate that Report. His opinion was that authority should be committed to some competent Board, such as the Charity Commissioners, or the Committee of Privy Council, who would direct and enforce a proper administration of the funds, or one more in harmony with public policy. It was wholly unnecessary for him to occupy their Lordships' time with cases illustrative of these abuses, for they were abundantly set forth in the Report of the Commissioners; but still he might be allowed to cite a few. There were educational charities in which the income was principally directed to be applied in the board and lodging of children. Such a direction involved the expense of erecting buildings and the heavy item of solicitors' costs. Thus he found that a sum of £1,600 was devoted to educating fifty boys at an expense of £32 a head, though the same class of education was given for 30*s.* a head in the National School near at hand. There were the cases in which no provision was made for removing ignorant, incapable or immoral masters. He need not dwell upon the necessity of a law which would get rid of such persons. To show the mischief attendant on indiscriminate charities, he might mention those charities which were called "bread charities," when an allowance of bread was given each Sunday to whoever of a particular class went to church; the clergyman used to say that he could tell by looking at the seats whose turn it was to get bread; but as the donation of bread was limited to only four Sundays in the month, when a month occurred in which there was a fifth Sunday the church was comparatively empty, for no bread was given that day. Then there were the provisions in the regulations framed by the donor of the charity, which scarcely corresponded with the spirit of the present day—that the master of an hospital, for instance, was to be in holy orders, and to wear the same dress and to take his food at the same table with the alms people. To prove the mischief attendant on the indiscriminate distribution of a large sum of money in small shares, he would only adduce the instance of the Manchester Charity, which dispensed every year £2,600, and so carelessly that one woman received three sums under three different names. Then, again, there was a London parish in which every year £200 was given away in shillings and one-and-sixpences, and the days on which the distribution was made the gin palaces in the neighbourhood hired additional waiters to sell the gin which was called for by the recipients of the money. In one case, where 40*s.* was annually doled out in sixpences, he suggested that more ought to be given, and received the reply that the churchwardens would be torn to pieces if the distribution became more liberal. The most objectionable class of charity, however, was that in which it was given for the poor generally, and no words were added to fetter the discretion of the trusts. The sums thus, he might say, wickedly misemployed, might surely be made applicable to better purposes, and this might be done without interfering with the *bonâ fide* intentions of the founders. Would it not be well to transfer to a competent Board, such as the Charity Commissioners or the Committee of the Privy Council, the general administration of these charities? He approved the suggestion of the Commission on Education, that the Board of Charity Commissioners should be incorporated with the Privy Council. But the mode of passing schemes which was recommended would not succeed; for if the Privy Council had to go to Parliament in every case, they would be defeated by local clamour and prejudice. The true course was to adopt the provisions of the Bill introduced in 1853 before it was altered by the Committee of this House. By that Bill the scheme, after being finally settled, and after full notice to the parties concerned, was to be laid on the table of the two Houses, and, if unopposed, within three months became *ipso facto* the law. If Parliament were unwilling to intrust to a Board like the Privy Council the power of preparing and originating schemes as provided for in that Bill, the mischief he had described would continue; and, in that case, he thought that the public would have a just right to complain of the Legislature for having reformed the University statutes, in which the rich were interested, and neglected to reform these endowments, in which the poor were chiefly concerned. He would now ask, whether the Government proposed to introduce any Measure for the purpose of carrying into effect the Recommendations of the Education Commissioners in reference to Charitable Endowments?

Earl GRANVILLE said, he agreed with a great part of the observations which had just been addressed to their Lordships, supported as they were by the practical experience of his noble Friend. He agreed also in the conclusion come to by the Education Commissioners that these endowments might be made more available than they now were for the furtherance of popular education, and that in many cases they might be diverted from useless or even injurious objects, and employed for educational purposes. He also entirely agreed with the noble Lord as to the beneficial effect which would have resulted from the passing of the Bill which was introduced in 1853. The result of the existing system had hitherto been, that when the Charity Commissioners took in hand some of the most obvious and easy improvements, they found that they had not the power to carry them out; they were then compelled to have recourse to the Court of Chancery, where in nine cases out of ten the fund was dissipated before a scheme could be framed. An Act, however, had passed at the close of last Session increasing the powers of the Commissioners, and transferring to them powers which before that time had been exercised by the Court of Chancery. A question had since arisen as to the construction of that Act; it was held to be doubtful whether charities as to which the Court of Chancery had already given orders came within the scope of the Bill, and thus several urgent cases had not yet been dealt with. There had not yet been sufficient time to test the working of this measure, but it appeared to be progressing satisfactorily. With regard to the recommendations contained in the Report of the Education Commissioners, the most important was that the functions of the Charity Commissioners should be transferred to the Educational Committee of the Privy Council; that this body should prepare schemes; that there should be an appeal from the local bodies to another Committee of the Privy Council; and that afterwards such schemes should be submitted to Parliament. With regard to administrative details, there was much to be said for and against the plan proposed; but he doubted very much whether Parliament would agree to the main principle of that plan, which would transfer to the Committee of Privy Council powers which would render them a *quasi*-judicial body—powers which hitherto had been exercised only by the Court of Chancery. He might also observe that the Charity Commissioners had now the advantage of the presence of the Vice President of the Council, who formed a sort of link between them and Parliament, and he doubted whether Parliament would approve of the transfer of the functions of a *quasi*-judicial Board to an executive and administrative department of the State like the Privy Council. Other suggestions which had been made, such as an easy method of registering endowments, were of much importance, and were under the consideration of the Government; but he did not think it advisable that the powers in question should be transferred entirely from the Charity Commissioners to the Department over which he had the honour to preside.

PUBLIC BUSINESS.—QUESTION.

The Earl of POWIS wished to ask the noble Earl the President of the Council, If he had any objection to state what measures were likely to be introduced into that House before Easter, and thus to remove the ominous haze which surrounded the Speech from the Throne?

Earl GRANVILLE said, that he would in a few days state to their Lordships what measures of public business the

Government proposed to bring forward in their Lordships' House.

House adjourned at a quarter before Six o'clock, till To-morrow half past Ten o'clock.

HOUSE OF COMMONS,

Monday, February 9, 1863.

Minutes.]—New Member Sworn.—For Reigate, Granville William Gresham Leveson Gower, esquire.

Public Bills.—1°—Corrupt Practices at Elections [Bill 8]; Births and Deaths Registration (Ireland) [Bill 9].

Select Committees *appointed.*—Ecclesiastical Commission; Kitchen and Refreshment Rooms (House of Commons); Controverted Elections.

INFECTION IN CABS.—QUESTION.

Mr. BRADY said, he wished to ask the Secretary of State for the Home Department, If his attention has been directed to the evils resulting from persons labouring under infectious diseases being carried to hospitals in public conveyances; and, if so, if it is his intention to introduce any measure this Session with a view to remedy the same?

Sir GEORGE GREY said, that no representations had been made to him by any public authorities upon this subject, but his attention had been directed to it by letters in the newspapers referring to it. The subject was one of importance, and there were great difficulties in the way of legislation. When the last Hackney Carriages Act was before Parliament the matter was discussed, and a clause was proposed having for its object the prevention of the evil to which the hon. Gentleman's question referred, but after a good deal of discussion it was withdrawn. There was no difficulty in enabling parochial authorities or hospitals to provide carriages for the transport of persons suffering from infectious diseases; the difficulty was as to empowering the drivers of hackney carriages to refuse fares on the ground that they believed that the persons about to enter their carriages were afflicted with such diseases.

Mr. BRADY said, he wished to know whether, as the question was one of such great importance to the public, the right hon. Gentleman, in the event of his introducing a Bill to remedy the evil complained of, would have any objection to that course, and would he be ready to support it?

Sir GEORGE GREY said, that on the contrary he should feel much obliged to the hon. Gentleman if he would embody his views upon the subject in the form of a Bill.

FIRE INSURANCE DUTY.—QUESTION.

Mr. HADFIELD said, he rose to ask the hon. Member for Dudley (Mr. H. B. Sheridan), Whether he intends to bring in a Bill for the repeal of the Fire Insurance Duty this Session, and when?

Mr. H. B. SHERIDAN said, he could inform the hon. Member that he had already placed upon the Paper notice that it was his intention to ask for permission, on Tuesday, the 10th March, to bring in a Bill for the purpose of abolishing the fire insurance duty. The reason why he did not proceed with it last Session was, because it was thought expedient that the Chancellor of the Exchequer should have twelve months to consider seriously the Resolution of the House.

DURHAM UNIVERSITY COMMISSION. QUESTION.

Mr. MOWBRAY said, he wished to ask the Secretary of State for the Home Department, Why the evidence taken by the Durham University Commissioners was not laid before Parliament on July 22, 1862, when the ordinances framed by the Commissioners, and dated June 30, were presented; whether he will forthwith lay a copy of such evidence before Parliament; and whether, as the Durham University Act, 1861, allows Parliament a period of forty days for the consideration of the ordinances before Her Majesty can be advised to declare her approval of the same, he will undertake that full and sufficient time shall be allowed to Parliament for the consideration of the evidence before Her Majesty shall be advised to signify her approval of the ordinances?

Sir GEORGE GREY replied, that it was required by the Act of Parliament that the ordinances framed by the Commissioners should be laid before Parliament, but it was not so as to the evidence. In the cases of the Universities of Oxford and Cambridge, the evidence was not laid before Parliament. The Government had no direct control over the proceedings of the Commissioners, some of whom were

Members of that House, but he did not apprehend that the Commissioners would have the slightest objection to afford the information the right hon. Gentleman desired. They had in fact, as he was informed, sent the evidence last year to the authorities of the University. The ordinances were laid upon the table on the 22nd of July last, and therefore twenty-four of the forty days during which they must be before Parliament before confirmation were unexpired at the beginning of this Session. Petitions had been presented against the ordinances, which would be referred to a Committee of the Privy Council, and ample time would be given for the consideration of the objections raised by the Petitioners.

SERVICE OF BRITISH OFFICERS IN CHINA.—QUESTION.

COLONEL SYKES said, he desired to ask the Under Secretary of State for Foreign Affairs, Whether, as permission is given, by a notification in the *Gazette* of January 13th, to British Officers to accept Commissions in the service of the Emperor of China, similar permission extends to British Officers and British Subjects to accept Commissions in the service of the Taeping Emperor or his Government?

MR. LAYARD said, that in answer to the hon. and gallant Member he would beg leave to state that permission had not been given to British Officers to hold commissions in the service of the Taeping Emperor, with whom the Government had not the honour of being acquainted.

THE GALWAY POSTAL SUBSIDY.

QUESTION.

MR. GREGORY said, he wished to put a question to the noble Lord at the head of the Government, of which he had given private notice—namely, Whether any intimation has been given to the Atlantic Steam Navigation Company that the subsidy formerly granted was about to be restored; and if so, whether that intimation has been coupled with the condition that a certain sliding scale of prices was to be attached varying according to the speed of the vessels employed?

VISCOUNT PALMERSTON: A communication has recently been made from the Treasury to the Galway Company, in accordance with previous intimations, to the effect that if the Admiralty shall report that the company are in a condition, as to vessels, to perform the duty which they propose to undertake, Her Majesty's Government will be prepared to recommend to this House the renewal of the contract, the details of the arrangements being reserved for settlement between the company and the Government. The Government have not attached to that communication the condition that there shall be a sliding scale of payments, depending upon the rapidity or slowness of the vessels.

BRITISH NORTH AMERICAN INTERCOLONIAL RAILROAD.—QUESTION.

MR. GREGORY said, he also wished to ask the Under Secretary of State for the Colonies, Whether any engagements have been made by the Imperial Government to guarantee the interest on a sum of money to be raised for the construction of the Intercolonial Railroad; and if so, whether all papers connected with any such engagements will be laid before the House?

MR. CHICHESTER FORTESCUE stated, that his hon. Friend would find the greater part of the information which he desired in certain papers that were laid before Parliament in the course of the last Session upon the Motion of his hon. Friend the Member for London. He would there find a despatch which was written by his noble Friend at the head of the Colonial Office, who declined to accede to a request from the British North American provinces for direct assistance by way of subsidy towards the construction of an intercolonial railroad. But in the course of last year the Government expressed their willingness, on certain terms, to lend the credit of the Imperial Government to the Provinces of British North America to assist them in raising a loan for carrying out that project. Since the last Session of Parliament there had been some further correspondence of no material consequence. A visit had also been made to England by certain Members of the Governments of Canada, New Brunswick, and Nova Scotia, as delegates, to make arrangements with Her Majesty's Government on the subject. Those gentlemen had now returned to America in order to introduce into the Legislatures of the several colonies measures which should form a basis for the carrying out of the project. The further correspondence would, when completed, be laid upon the table in continuation of that which was produced last Session.

THE PORT OF SEDASHEGHUR.

QUESTION.

LORD STANLEY said, he wished to ask the Secretary for India, What progress has been made in the construction of the Pier and improvement of the Harbour of Sedasheghur, and in the opening of the roads from the cotton districts thereto? The right hon. Baronet had recently, in the course of a public statement, referred, among other subjects, to the works going on in the harbour of Sedasheghur, and had then entered into a statement of the number of persons employed and the progress that had been made. Since then he understood that the statement of the right hon. Gentleman had been directly and bluntly contradicted by a person professing to have accurate information. He therefore wished to know whether the right hon. Gentleman, in consequence of that contradiction, was now prepared to modify or retract what he recently stated; and whether he would lay all the papers relating to the subject before the House?

MR. KENNARD said, that before the right hon. Gentleman answered the question, he wished to know whether he could now furnish the information respecting the Bengal army for which he had applied in 1861?

SIR CHARLES WOOD: With regard to the last Question addressed to me by the hon. Member, I am afraid I must ask him to repeat the Question on some other evening, as I cannot answer it without inquiry in my office. I am happy to have an opportunity of answering the inquiry made by the noble Lord. On the occasion to which he refers, I read an extract from a letter which I had received from Dr. Forbes, the superintendent of the factory at Darwah, giving an account of works in progress on which, as he understood, nearly 7,000 men were employed. I have no reason to believe that he was materially wrong in the statement which he then made; but I have received a public despatch on the subject since that time, and I think the best answer which I can give to the noble Lord's question will be to read an extract from that despatch. I am sorry to say that on one portion of the works a check has occurred in their progress, but this is due to one of those circumstances over which no control can be exercised, and which cannot be foreseen or prevented—namely, the influence of the climate upon the health of the men employed. Some of my hon. Friends, who are impatient for the acceleration of works in India, I hope will see, that although labour may be abundant in some parts of India, it is impossible at all times and all places to command it. Colonel Kennedy, Superintending Engineer of the Southern Circuit, writes, under date of the 30th of September—

"Belgaum, Dec. 20, 1862.

"I have just returned from an inspection of the Canara works. The Kyga Ghaut and its approaches, both above and below, to the head of the Kala-Nuddee navigation, are open to a *minimum* width of twelve feet, and are quite practicable for laden carts, though not yet prepared to receive a heavy traffic. Arrangements were made this year for prosecuting the works with great vigour, but those arrangements have been entirely frustrated by the unusually unhealthy state of the country through which the road passes. Fever has broken out with such virulence that the imported working parties have been broken up and dispersed, and the small amount of local labour is prostrated. Officers and subordinates have not escaped, and the executive engineer himself is so ill that he cannot remain in the district. Of 2,000 men lately employed on the works, within the space of a few days 900 were stricken with sickness. Several died, and the rest cleared off the work in 48 hours, carrying with them reports which deterred the advance of others who were on their way to the ghaut. Under these circumstances it is very difficult to say when the ghaut will be entirely completed; with this year's experience, which has, however, been unprecedentedly unfavourable, it will be very difficult again to collect workpeople; and, in fact, unless the malaria abates to a very material extent, it will be fruitless to do so, for men cannot and will not work when suffering from disease, nor will they consent to remain to die. The completion of the Kyga to the head of the navigation, though desirable, is not essential for the trade, provided the other road is available; and no preparations have yet been made by any persons to receive cotton at the termination of the former on the banks of the Kala-Nuddee. Too much stress has, I think, been laid on the Kyga Ghaut approach, owing, I believe, to the discussion about it having arisen before the alternative line was suggested and settled on. The question has not yet been cleared of the consideration that it first involved—namely, that the Kyga was the only approach to Sedashegur. It cannot matter to the houses concerned by what route they get their goods to the place where they require them, provided the one actually available possesses no marked disadvantages in respect to any other; and this is clearly the case as regards the Arbyle and Kyga lines. I believe amongst those who have any local knowledge of the circumstances there is no difference of opinion in the matter. The Arbyle and Ankola line is already opened out to full width to within fourteen miles of Beitkul, and a considerable portion of it is well provided with surface and drainage works. Of the incomplete fourteen miles nine are cut to twelve feet *minimum* width, and five on level ground have just been commenced. In addition to this there is a branch road on a less convenient line over a high range of hills, which is opened the whole way to a *minimum* width of twelve feet, and by which cart communication with Beitkul is now opened throughout. On the Arbyle approach we have a heavy force engaged (two companies of Sappers and Miners, 500 convicts, and 2,500 labourers), which will, I trust, now increase day by day; and I think there is every prospect that the road will be ready to the full width by March or April next. On the transfer of North Canara to Bombay, on the 1st of February, 1862, it was determined to abandon for the present at least the idea of wharves in the situation selected by Sir William Denison, and in place of them to construct at once a quay or landing-place on the eastern shore of Beitkul Cove. A plan and estimate for a screw pile pier were called for. A commencement was made during my late visit with the wharf wall. Before I left Sedashegur it had begun to show above low-water mark; and by March next, before it is wanted, I expect that a length of at least 300 feet will be ready for landing and shipping goods. This wharf is being laid in three to four feet water at low tide, and will be accessible to cargo boats except at low water. It was originally intended to erect a pier on the western side of the Cove, but it has now been determined by the common consent of the representatives of the mercantile houses and the Government officers to place the pier on the eastern side. However, though it is most desirable to have a pier, one is not immediately and absolutely essential; for, when the wharf wall now in progress is ready, goods can be landed and shipped in cargo boats without difficulty. When the following works are completed, the absolutely essential and immediate requirements of the port will have been supplied:—The Arbyle Ghaut approach; the road from Beitkul to Konay; the wharf wall. It is confidently hoped that they will be finished to a sufficient extent to render them effectual by March or April next. Every possible effort is being made to secure this. The following works, not absolutely essential, but highly desirable, will be completed with as little delay as is practicable, under the peculiar circumstances of the districts:—The Kyga Ghaut line; the pier; the lighthouse. When all these works have been finished, sufficient will probably have been done until the port develops itself more fully, and it is ascertained what steps are necessary for improving or preserving the harbour, or to meet the increased requirements of the trade."

Such is the official statement made upon the matter. It appears that the works as proposed were being carried out with much vigour, but in consequence of the fever suddenly breaking out in the district the progress of the works was interrupted in the manner stated. I have not the least objection to lay on the table the whole correspondence which has taken place with the Governments of Madras and Bombay on the subject; and if the noble Lord will move for the papers on an early day, they shall be granted as an unopposed Return.

SUPPLY.

The Lords Commissioners' Speech *considered*, and a Motion being made "That a Supply be granted to Her Majesty,"

Mr. PEEL moved to resolve that this House will, to-morrow, resolve itself into a Committee to consider that Motion.

POLAND.—QUESTION.

Mr. HENNESSY said, he wished to put to the noble Lord at the head of the Government a Question which he put to him during the Debate on the Address, but which was not then answered. Upon that occasion he called attention to the state of Poland, and to the treaty obligations into which England had entered with respect to that country. He had also asked the noble Lord whether it was the fact that during the Crimean war certain overtures were made by Austria to the allies with reference to Poland, to the effect that the latter country should be restored to independence, and whether the noble Lord would allow the papers on that subject to be laid before the House. He had asked those questions in two preceding Sessions, but had received no answer, and he then repeated them for the fourth time since he had been in the House. It was of the utmost importance at that juncture that the facts should be accurately known. Poland was in a state of insurrection. The people of that country had been driven to revolt by outrages unparalleled in these times. It was surely, then, their duty to ascertain whether, on more than one occasion, England had the opportunity of helping Poland and had neglected that opportunity. In 1831 Austria and France took a lively interest on behalf of Poland, and France, urged by Austria, then represented to the English Government the desirableness of assisting Poland, but the noble Viscount refused to interfere. He would remind the House that despatches concealed from Parliament for the last thirty years had only recently been published. So strongly did he (Mr. Hennessy) feel on the subject, that he would take the liberty of submitting on an early day an Address to the Queen upon it, and in order that the noble Viscount might be in possession of the scope of that Address he would take the liberty of stating that it humbly represented to Her Majesty that certain treaty obligations had been incurred by England and other Powers with reference to Poland, and that those treaty obligations had not been fulfilled by Russia; that those treaty obligations were set forth in the first fourteen articles of the Treaty of Vienna; that the Emperor of Russia in 1815 undertook, amongst other engagements, to restrict the public appointments in Poland to Poles; that for many years past not one of those engagements had been fulfilled; that a breach of the solemn engagements thus incurred between England and Russia had recently been described by Her Majesty's First Minister in these words—

> "The course which the Government of Russia has adopted towards Poland is a complete and decided violation of the Treaty of Vienna. The stipulations of that treaty were broken almost as soon as concluded. Perhaps the greatest violation of a treaty that has ever taken place in the history of the world was that which occurred in the case of Poland."

The Address then proceeded to state that for some years past the people of Poland had borne with exemplary patience that deliberate violation of their national rights; that while their pacific endurance had attracted the admiration of Europe, it seemed to have roused the worst passions of the Russian Government; that, owing to an accumulation of outrages and cruelty unparalleled in these times, the kingdom of Poland was now the scene of a devastating conflict between the troops of Russia and the people who had been driven to desperation. The Address then humbly submitted to her Majesty that these facts urgently demanded the interposition of England in vindication of her own public faith and solemn engagements, and that steps should at once be taken to enforce the treaty obligations which this country had incurred in respect of Poland.

MR. SPEAKER: Perhaps I should at an earlier stage have pointed out that the course which is now being pursued by the hon. Member is contrary to the established practice of this House. The Motion is not that the House do now, but that it will to-morrow, resolve itself into Committee of Supply. It has been ruled in this House, and I am bound to adhere to that rule, that the proper occasion for any hon. Member to avail himself of the opportunity of introducing topics on the Motion for Committee of Supply is when the Motion is that the House do resolve itself into Committee of Supply, and not when, as at present, the question is, that the Committee be appointed for a future day.

Motion *agreed to*.

Committee thereupon *To-morrow*.

GREECE.—QUESTION.

MR. HENRY SEYMOUR said, he wished to ask the First Lord of the Treasury, Whether Her Majesty's Government has made any diplomatic proposal to the Greek people of the Duke of Saxe-Coburg to fill the vacancy of the Throne of Greece; and, if so, whether the Duke has signified his willingness, under any circumstances, to become a candidate?

VISCOUNT PALMERSTON: The Greek question at present stands thus:—The Greek nation fixed upon the election of Prince Alfred, son of Her Majesty, and it was only yesterday that the Greek Minister communicated that decision to my noble Friend at the head of the Foreign Office. To that, of course, the answer given was in conformity with the announcement in the Speech; but no other candidate has yet been proposed to the Greek nation in any formal manner. The Duke of Coburg has been sounded privately on the subject for the purpose of ascertaining whether, in the event of being proposed or elected by the Greek people, he would accept the throne, and the Duke of Coburg has declined to be put in nomination for the Throne of Greece.

CORRUPT PRACTICES AT ELECTIONS.

LEAVE. FIRST READING.

SIR GEORGE GREY said, he rose to move for leave to bring in a Bill to amend and continue the Law relating to Corrupt Practices at Elections. The Bill he proposed to introduce was in substance, though not in form, similar to a measure which had already been twice before the House. While the Bill proposed to continue much of the existing law, it would at the same time embody certain recommendations of the Select Committee which had inquired into the subject. In a former Act of Parliament there was a provision that paid agents should not be allowed to vote at elections. That provision was not contained in the existing law. But evidence had been brought before the Committee to show that a number of persons who were electors were usually employed as messengers, and were paid at a rate which amounted to a remuneration for their votes. It was therefore proposed, not in the precise terms, but in substance, to re-enact that provision of the 7 & 8 *Geo.* IV. which prevented those persons from voting at any election, or struck off their votes if they had been taken. The next part of the Bill would involve the repeal of the existing clauses with respect to election auditors, which appeared to the Committee to be ineffectual for their purpose, while they caused some expense to candidates. It was proposed to substitute for those clauses provisions that all expenses of candidates, except their own personal expenses, should be paid through agents to be selected by themselves, their names being published by the returning officer before the nomination. No demand would be permitted to be enforced after a limited time subsequent to the election, and all bills would have to be paid within a month after the election. In three months from the settlement of the accounts the agent would be required, under penalties, to make to the returning officer a correct statement of all the expenses, which would be published, and every voter would have an opportunity of investigating the accounts. The next provision would extend to Election Committees the power possessed by a Commission of Inquiry to compel witnesses to give evidence, subject to an indemnity to be given to them, which would in some cases enable a Committee to elicit the facts without a subsequent Commission. There was another provision, which, when extensive bribery or corruption was reported by a Commission, would give the sanction of Parliament to a Resolution of the House of Commons to suspend for a period of five years the power of returning Members to that House. There were some provisions as to indictments and proceedings of Committees which he need not now specify. He had stated the principal provisions of the Bill, which he begged now to be permitted to introduce.

Mr. HUNT said, he wished to call attention to the fact that under the present state of the law the accounts of the election auditor might be kept back until after the petition against a return had been presented. That was a great blot on the law. It would be highly proper that the accounts should be published by such a time as the election inquiry might take place, so that the Committee might be able to go thoroughly into the accounts. He regretted that the right hon. Gentleman had not announced it his intention to go into the whole question of election petitions. Last Session petitions had been presented merely for the purpose of causing other petitions to be withdrawn. He thought that every discouragement should be given to presenting petitions upon frivolous grounds, and that none should be presented without having its grounds thoroughly sifted. It seemed to be thought by many that an election petition was a sort of private affair between the respective candidates, but such an opinion should not be allowed to prevail. He thought that no petition should be withdrawn until the reasons for the withdrawal had been sifted by the Committee; and that if the defeated candidate could show that corruption had existed, it was for the House to take up the prosecution, and not for the disappointed candidate. The charges made on the candidates by the sheriffs of counties and the returning officers in boroughs at present varied very much, and he thought those charge sought to be defined and scheduled.

Mr. CHILDERS said, he approved of the Bill, as he thought the recommendations of the Select Committee were deserving of being incorporated into the Act. Still they only touched the fringe of the evil. In three cases out of four bribery took place in the afternoon. He by no means meant to say that bribery was never committed early in the day, and when candidates were in a large majority; but the time when it was generally committed was between two and three o'clock, when there was a very close run in the voting, and five or ten votes on either side might determine the election. The cause, in his opinion, was the publication of the half-hour states of the poll, and if any mode could be devised by which such publication could be prevented, one very great encouragement to bribery would be done away. In that matter they might take a leaf out of the Reform Bill proposed by the Earl of Derby's Government, which admitted the principle of rendering the state of the poll uncertain; for it allowed the votes of persons who lived at a distance to be recorded by means of voting papers, the result of which could not be ascertained until later. He would propose that votes should be taken by means of voting papers filled up in the polling booth, but published after the declaration of the poll. Such a plan would not be open to the objections which some hon. Members had to the practice of secret voting, and at the same time it would have all the effect of secret voting in preventing bribery, as under such an arrangement the agents would not have sufficient knowledge of the state of the poll to induce a resort to afternoon bribery. That would do more to put an end to bribery than the additions to the present law proposed by the present Bill.

LORD ROBERT CECIL said, he was of opinion, that if the publication of the state of the poll was to be suppressed, the voting must be carried on entirely by means of papers. If an endeavour were made to conceal the votes of the electors as they went to the poll, the course of proceeding would be, that agents would be stationed near each polling-booth to ask the voters as they returned from recording their votes how they had voted, and Englishmen, not being afraid that their conduct should be known, would generally answer the queries, and the state of the poll would in that way be known. If they adopted the system of voting by papers or registered letters, the hour by hour publication of the poll would be impossible. He assumed that bribery generally took place within the last hour of the polling, but he did not think that the difficult question how it was to be put down would find a solution, except through the instrumentality of voting papers.

SIR FRANCIS GOLDSMID said, he was of opinion that voting papers would facilitate rather than deter from the commission of bribery.

MR. HADFIELD said, that all the proposals made by hon. Members were only applicable to small constituencies. He preresented a large constituency, and he did not believe that any one in it was suspected of bribery. It was only in small constituencies that the electors were open to undue influences. He thought this was a powerful argument in favour of the redistribution of seats, and of divesting small burghs of their representatives and of giving them to the large towns, which were free from any such suspicion.

MR. DARBY GRIFFITH said, he was in favour of giving the seat vacated through bribery to the innocent candidate, however small might be the number of his supporters, and however large that of the peccant and unseated member. Such a course would be a real security against bribery, as it would render all the previous preparations of the buying candidate of no avail. If it were suggested that it would be unfair to the constituents, he submitted that it would be a very proper penalty for permitting themselves to be bribed.

Motion *agreed to.*

Bill to amend and continue the Law relating to Corrupt Practices at Elections, *ordered* to be brought in by Sir GEORGE GREY and Mr. BRUCE.

Bill *presented,* and read 1°. [Bill 8.]

MILITIA ESTIMATES.—RESOLUTIONS.

SIR GEORGE LEWIS said, that as the Resolution of which he had given notice might be considered to involve a change in the constitutional practice in regard to moving the Estimates for the Disembodied Militia, a few words of explanation as to the origin of the practice might be necessary. The Militia Estimates had become a matter of routine and usually passed with little general observation, but there was a time when the militia was connected with the most stimulating Parliamentary contests. It was the assumption of the management of the militia by the Long Parliament that caused the civil war between Charles I. and his subjects. After the Restoration an Act of Parliament was passed which vested the government of the militia in the Crown, and therefore that constitutional question was set at rest. At the same time the charge of the militia was imposed upon persons of property in the counties, under the control of the lords-lieutenant and deputy-lieutenants. The expense of the militia was, in fact, defrayed out of the county rate, and became a matter not only of local management but of local charge. About the end of the reignof George II., in 1757, an Act was passed by which, while the management of the militia was substantially left unchanged, the expense was transferred to the general taxation of the country, and became the subject of votes of the House of Commons. The Lords Commissioners of the Treasury, under that Act, on the certificate of the lords-lieutenant of counties, made an order for the amount required upon the Receiver of Land Tax. By that change the militia became, as far as payment was concerned, virtually upon the same footing as the King's army—the regular army of the country ; but the Militia Estimates were not, concurrently with that change, prepared in the same mode as the regular Army Estimates. He presumed, from a desire to retain on the part of the popular branch of the Legislature, some portion of that hold on the militia which had existed when the militia was a purely local charge, the preparation of the Militia Estimates was placed under the control of that House, and annually a Motion was made for the appointment of a Select Committee to prepare them. That system was introduced soon after the passing of the Act of 1757, and had continued, he believed without any alteration, up to the present day. When that peculiar mode of preparing the Militia Estimates was introduced, the Estimates were substantially prepared by the Select Committees of that House; but at what period the change, which afterwards took place, occurred, he was unable to say. However, since he had been a Member of that House, and he apprehended from a date much earlier, it had been the practice for the executive Government to prepare the Militia Estimates, and they were submitted, ready prepared, to the Select Committee. That Committee generally assented to them with little or no investigation. The appointment of the Committee, in fact, had become little better than a matter of form, for substantially the Committee no longer exercised any power. During the last Session, indeed, the appointment of the Committee gave rise to misunderstanding, and some hon. Members of that House thought that the Government were taking an unusual course in referring the matter to a Select Committee, and a discussion thereon arose. He had, consequently, stated, in the course of last Session, that if the change was likely to meet with the general approbation of the House, he should propose that the Militia Estimates should be put on the same footing as the other Army Estimates, and that the whole should be presented simultaneously to the House by the Government. He would state what was the practice with respect to other branches of expense similar to the militia. The Estimate for the Yeomanry was included in the ordinary Army Estimates. The same was the case with respect to the Volunteers. The Estimate for the embodied militia was likewise included in the Army Estimates. The distinction was between the embodied and disembodied militia, and the Resolution he proposed referred exclusively to the disembodied militia. The annual Vote for the Jersey and Guernsey militia was also included in the general Army Estimates. For the purpose of the Appropriation Act the Vote for the militia was likewise comprehended under the same category as the general vote for the army, and the sum was included in the Army Accounts. If any valid

objection could be urged to the Resolution he now proposed, he should have no desire to press his Motion on the House. He believed, however, that in reference to the mode of presenting the expense of the armed force of the country, it would be found more convenient than the existing mode, that the whole of the charges should be under the consideration of Parliament simultaneously. At present, the charge for the disembodied militia, which last year amounted to £750,000, was presented apart from the other Military Estimates, and was considered at the end of the Session—an arrangement less convenient for discussion, and involving, as it seemed to him, less responsibility to the executive Government, than if it were included in the general Estimates for the army. He, therefore, hoped that the House would agree to the first Resolution he had to propose. He had placed two Resolutions on the notice paper, in order that the House might understand the course of proceeding he intended to take; but that night he should only move the first Resolution, postponing until after the report of the first the second Resolution for an Address to the Crown, praying that Estimates of the charge for the disembodied militia might be prepared and laid before the House. The right hon. Gentleman concluded by moving a Resolution—

> "That in the opinion of this House, it is expedient to discontinue the practice of appointing a Select Committee to prepare Estimates of the charge of the Disembodied Militia of Great Britain and Ireland; and that such Estimates be in future prepared on the responsibility of Ministers of the Crown."

Colonel DUNNE said, that the objection to the Resolution was, that it transferred to the Crown the old constitutional power possessed by that House, and converted the militia into a part of the Standing Army. A militia force was adopted at an early period of our history, on the abolition of the old feudal system of knights' fees, established by William the Conqueror. As early as the time of Henry VIII., if not earlier, our kings issued warrants to lords-lieutenant, as they named them, and sent them to different counties, where they raised troops; and that practice continued down to the time of Charles I., and in accordance with this practice he issued such warrants to certain noblemen, whom he constituted lords-lieutenant, and assumed to himself the power of raising the militia force, which was opposed by the Long Parliament and wrested from him. After the Restoration, in the 13th, 14th, and 15th years of Charles II., Acts of Parliament reinvested the management of the militia in the Crown, but the cost was defrayed by the counties out of the county rates. That system continued till the 42nd of George II., when the cost was transferred to the Consolidated Fund, but the House retained the power of preparing the Estimate. The Estimate was not made at the pleasure of the Crown; it did not depend on any regulation of the Minister of War. Practically the Estimates had been prepared by the Government officials, and laid before the Select Committee, and it would appear to have been for some time so far a formality, because the Committee rarely exercised the power it possessed of revising the Estimate presented, though that power enabled it not only to diminish, but increase the amount if it thought fit. But within the last ten years he had known those Estimates discussed and divisions take place in Committee on the details. He believed that such discussions were not convenient to the Crown; and this, he supposed, was the reason for getting rid of them. But by agreeing to these Resolutions the House would be giving up a constitutional principle. He could see no inconvenience in the Committee; and if the Committee did their duties, they could make alterations in the Estimates and submit them to the House, which could not be done in other military Estimates. However, he did not now mean to offer any serious objection to the Resolution; but he thought the House had had very short notice of so important a change on a constitutional question as that contemplated, and he trusted, that if the House were disposed to pass the Resolution that night, the right hon. Baronet would give them time for its full consideration.

Colonel GILPIN said, that though it was true the Militia Estimates were prepared by the War Minister, yet for a long series of years it had been the custom of the House to take the initiative on those Estimates, and in the Select Committee opportunity was afforded for their consideration and, if necessary, for their alteration. If once the Militia Estimates were assimilated to the other Army Estimates, he should like to know what chance there would be of effecting any alteration in them. But whether the new system was adopted or the old continued, he only hoped that care would be taken to obtain value for the money expended.

Sir GEORGE LEWIS said, that there was no intention on the part of the Government, or on his own part, to make the smallest alteration in the system of managing the militia, nor to propose any alteration in the existing Acts by which they were governed. No change would be made, except in the mode of bringing the Estimates under the consideration of the House. He believed that the mode he proposed would be found most convenient and acceptable to a majority of Members, and there was no other reason for maintaining the present system than its antiquity and its existence. Under the proposed system the Estimates must come before the House in Committee of Supply, and any alteration could then be made.

Sir HENRY WILLOUGHBY said, that his experience did not lead him to pay much respect to Estimates, and the evidence taken by the Committee on Public Accounts clearly showed that Estimates were scarcely any guide to expenditure. He did not see the value of the change proposed. Practically the Militia Estimates were prepared by the Government, and were allowed by the House; but in the Committee Gentlemen holding high rank could express their opinions with much more ease and familiarity than they could in the House; and he did not see the advantage of giving up any possible check upon the Government which the sitting of the Committee afforded. The House would always look with jealousy upon financial power as affecting the militia. There was another question which he hoped the right hon. Gentleman had considered, and that was the omission of the details of militia expenditure from the published accounts. The House was aware that the expenditure of the army was published in detail after it had been incurred; and although it was true they did not get the accounts until some time after the expenditure, still the detailed account was the only document which showed how vast millions were expended. But in the Militia Accounts No. 4 was a blank page. If it were not intended to make an alteration, he would bring the matter under the consideration of the House. As matters stood the large sums voted for the militia were practically not explained in the usual form. The matter was noticed by the Committee on Public Accounts in one of their Reports, and the defect he complained of ought to be corrected by the Government giving the militia expenditure in detail in the same manner as the army expenditure was given.

Sir GEORGE LEWIS said, that the present practice was to present a detailed account in respect of the embodied militia, and it was included in the annual army account; but in respect of the disembodied militia the expense was given annually in a total sum, but without details. All the money, however, was spent under the administration of the War Office, and ample materials existed there for a detailed account. He should be happy to give the details to any extent that might be desired by the House.

General PEEL said, he considered that it would be of great advantage to have the Militia Estimates submitted to the House along with the Army Estimates, so that hon. Members could see at one glance what was to be the whole military expenditure for the year. If that were the object of the right hon. Gentleman's Resolution, he would be willing to accept it. Hitherto they had only learned incidentally what were the expenses of the disembodied militia when the Chancellor of the Exchequer made his annual statement. If, however, there were any advantage in having the Estimates submitted to a Committee, there was no reason why that advantage should not be continued, as it might be if the Committee were to sit at an earlier period of the Session.

Colonel DICKSON said, that after what had been said by the right hon. Baronet (Sir Henry Willoughby) and by the right hon. Gentleman below him (General Peel), and after the almost vain attempts made to reduce the expenditure last year, a little time ought to be allowed to them to consider what effect the right hon. Baronet's Resolution would probably have. They had had short notice of the Resolution.

Sir GEORGE LEWIS: I gave notice of it on the first night of the Session.

Colonel DICKSON said, that the notice was certainly short, and hon. Members might not have paid attention to it on the first night of the Session. He hoped they might have time to consider the matter before the Resolution was pressed, especially as some officers had said, that if the House were divided, they would vote against the Motion.

Sir GEORGE LEWIS said, that he could not have given longer notice unless he had brought the matter forward last Session; and if he postponed it, it would be for another year, inasmuch as it would be impossible to frame the current Estimates upon a Resolution so postponed.

Motion *agreed to.*

Resolved,

That in the opinion of this House, it is expedient to discontinue the practice of appointing a Select Committee to prepare Estimates of the charge of the Disembodied Militia of Great Britain and Ireland; and that such Estimates be in future prepared on the responsibility of Ministers of the Crown.

BIRTHS, &c. REGISTRATION (IRELAND).

LEAVE. FIRST READING.

Sir ROBERT PEEL, in moving for leave to bring in a Bill for the Registration of Births and Deaths in Ireland, said, Sir, although there can be no question of the value and importance of a national system of registration, there is such a variety of interests involved in this question that I feel it is desirable I should make a few remarks. It is undoubtedly a great deficiency that in a country like Ireland, having a population amounting to nearly six millions, there should be no systematic collection of the statistics of human life. As a scientific record, a system of registration would be of immense utility in many respects. It would be very beneficial, for instance, in promoting sanitary reforms. In Ireland there is at present a great want of information as to any increase of sickness or disease, especially in populous towns or in remote country places. If correct data could be obtained as to the health of the people, measures would be more promptly and effectually taken to mitigate the intensity of disease or circumscribe its limits. This is a subject which has excited considerable interest in Ireland. In December last a resolution declaring the necessity for and the probable benefits of a system of registration was carried on the motion of the President of the Royal College of Physicians of Ireland at a meeting in Limerick. I have also had the honour of receiving deputations who urged the importance of legislation on the matter. I received deputations from the Royal College of Surgeons, the Royal Medical Council, the Statistical Society, and the Social Science Association. I asked them to put their views in writing, in order that the Government, in framing a Bill, might meet their wishes as far as possible. They complied with my request, and in the document which they forwarded to me they expressed the hope that the dispensary districts would be adopted, and the registration of births and deaths be made compulsory. It is not necessary to say that the measure which I am now seeking to introduce is not in any way affected by political considerations. All classes will be benefited by its adoption in Ireland, not as a mere registration of births and deaths, but as a plan for bringing annually before the public, as in England and Scotland, the causes affecting the health of the community. Ireland is almost the only civilized country in the world where no such system of civil registration of births and deaths exists. We frequently hear of great losses incurred by poor persons from their inability to prove their heirship or connection with rich parties dying intestate in the colonies or in foreign countries. It is, therefore, a matter of the first importance that we should pass a measure for obviating those difficulties. The English Act was passed in 1836. It caused a good deal of agitation at the time, but it has worked admirably. The passing of the Scotch Act was even more strongly opposed, and it was not until 1854, after an agitation of twenty years, that the opposition was overcome. The Scotch Act is an improvement upon the English one. I have carefully compared, in conjunction with Registrar General Donnelly and Registrar General Dundas, the Scotch and English systems, and there can be no doubt that the Scotch system is far superior to the one in force in England. Allow me to mention the differences which exist between the two Acts. In a Report published by Registrar General Graham it is stated that the English system should be compulsory instead of permissive; that the number of informants qualified to sign the register is too limited; that more time should be allowed for registration; and that medical men should be compelled to state the cause of death. All these points, in which, according to Mr. Graham, the English system is defective, have been included in the Scotch Act. The Scotch system of registration is compulsory; the number of informants qualified to sign the register is greater than in England; informants are compelled to attend personally and state the particulars to be recorded; the time for gratuitous registration of births is three months instead of forty-two days, as in England; and medical practitioners are required to send in a written certificate of the cause of death. When preparing the Bill which I am about to introduce, it became my duty to consider whether I should not embrace in it those provisions of the Scotch Act which were not to be found in the English one, which, nevertheless, have worked well in Scotland, and which Registrar General Graham thinks ought now to be adopted in England. To show the superiority of the Scotch system, I may mention that it has been ascertained, upon a six years' average of the registration of births, that the average gives in Scotland a proportion of 347 in every 10,000 of the population per annum, being rather a higher average than that of England, which is only 343 in every 10,000 of the population. I need not say that the principal points to be considered in the construction of such a Bill are the machinery, the size of the districts, and the expense to be entailed. I have thought, that if upon those three points I could meet the views of Irish Members generally, I might be able to pass a Bill during the present Session. Last year I proposed a plan which had been originally submitted by the noble Lord the Member for Cockermouth (Lord Naas). Its object was to make the constabulary the registrars and superintendent registrars. If that plan had been adopted, the districts would have coincided with the areas in which the constabulary act. I think, however, the noble Lord the Member for Cockermouth will agree with me that, whatever might be the plan adopted, the general feeling in this House was not in favour of using the constabulary for that purpose. I have considered the matter carefully during the recess, and my firm conviction now is that it would be impossible, with the concurrence of this House or of the country, to work a system of registration by the action of the constabulary. The constabulary are fully occupied with the duties which they now perform, and which, I am bound to say they discharge most efficiently; and I think it would be injudicious to burden them with the work which would devolve upon them as registrars and superintendent registrars. In the Bill which I have now the honour to propose, therefore, I have adopted a system in conformity with that in operation in England—that is to say, I have adopted what I may call the Poor Law system, so that the areas or districts will be the areas of the unions, the dispensing medical officers of the unions will be the registrars, and the clerks of the unions will be the superintendent registrars. I believe that is the scheme which, on the whole, will meet with the greatest amount of support from the Irish Members, and I believe it is the scheme which is likely to work best for the social and sanitary improvement of the people of Ireland. The Poor Law districts are well known, whereas considerable inconvenience would have resulted in that respect from the employment of the constabulary. We have, therefore, followed the Poor Law system, and I think the districts will be found very suitable for the purposes of the registration. In Scotland there is a great disparity between the extent of the areas. I am informed by Registrar General Dundas, from whom I have received valuable assistance in this matter, that in Scotland, while some of the registration districts contain 30,000, 40,000 and even 50,000 inhabitants, others contain not more than 400 or 500. There are 1,000 districts altogether in that country, but the great variation in their extent, coupled with the compulsory principle of registration, works rather prejudicially for the interests of the poor. The area of Scotland and Ireland as hon. Members know, is very nearly the same; but in Ireland we propose to have the system much better arranged. The districts will be very much of one size, the average population of each being 7,400. Besides 163 unions we have 718 dispensary districts with 777 dispensary medical officers—thus forming an admirable machinery ready to our hand. These dispensary medical officers are superior to the village doctors in England; many of them have professional connections extending over large tracts of country, and I believe they will be able to furnish most valuable returns. We next come to the question of expense. The deputations I had the honour to receive at Dublin from the College of Surgeons, the Statistical Society, and the Social Science Association, all recommended that the remuneration of the registrars should be defrayed from the local rates, but that the superintendent registrars should be paid out of the Consolidated Fund. I gave the best attention I could to these suggestions, and the proposal I have now to make is, that the registrars should be paid, as in England, out of the rates, but that the superintendent registrars should receive their fees out of the Consolidated Fund. Considering the advantage that will be derived by all classes from this measure, the total burden that will be thrown upon the public will be comparatively very trifling—namely, £16,000 a year, or just upon five-sixteenths of a penny in the pound on the whole rateable valuation of Ireland. We propose, then, to pay the registrars 1*s.* for each entry, and the superintendent registrars 2*d.* The stationery and boxes will be supplied by the Government as in England and Scotland. There will be no other outlay attending the scheme except the salary of the Registrar General, which we propose to increase to £1,000 a year, in consideration of the additional duties to be devolved upon him. This subject has already been before Parliament two or three times. The Registrar General of England formerly received £1,000 a year, and now receives £1,200; but it must be recollected that he has charge of three times the population of Ireland, and has three times the amount of registration to attend to. In Ireland 130 union-houses out of the whole number, namely 163, are built upon a uniform plan, and consequently the office of the clerk of the union, who will be the superintendent registrar, will be very convenient for this purpose. Moreover, the union houses are generally in a central situation, and thus every facility will be afforded for the registration. After the most careful consideration of the subject, I think that no better plan than this can be devised. It brings us in Ireland into harmony with the system pursued in England, and also, to a great extent, into conformity with the system adopted in Scotland. We require by this Bill the compulsory attendance of the parties. This is absolutely necessary; and Registrar General Graham says the want of it is one of the chief blots in the English system. The only other point on which I need trespass on the time of the House is a very important one, namely, the medical certificates. We wish to make our scheme as complete as possible, in order to obtain not a mere registration of births and deaths, but a scientific record of vital statistics, and with that view we have introduced into our Bill a provision which we think will meet the approval of the medical officers. We have not desired, as is done in Scotland, to make it binding on them penally to give the return. From the opportunities I have had of conversing with the President of the Royal College of Surgeons, and judging also from other sources of information, I believe that the medical officers generally will be prepared to co-operate with the State, and to furnish it with the requisite particulars as to the deaths of persons whom they may have attended professionally with greater readiness if it is left to them to do it freely, instead of its being made compulsory on them by the insertion of a penal clause. I have nothing further to add, except that I shall be glad to reply, as far as I am able, to any remarks which hon. Gentlemen may offer on the measure, a brief outline of the main features and provisions of which I have now given. The Bill has been conceived in a most liberal and impartial spirit, with a desire as much as possible to conciliate all classes of the community; and as I feel quite certain that by its adoption a great work of national improvement will be promoted, I hope that it will not only receive the favourable consideration of this House, but that the present Session will not close without seeing it passed into law. I beg, therefore, now to move for leave to bring in the Bill.

LORD NAAS said, he was glad that his right hon. Friend had thus early in the Session called the attention of the House to that important subject. It was really a disgrace to the country that any portion of the United Kingdom should be left for so many years without an efficient system of registration of births, deaths, and he would add, of marriages. With the exception of Turkey, he believed his hon. Friend was justified in saying that Ireland was the only country in Europe without such a system. At the same time, he could not congratulate his right hon. Friend upon the result of the experience he had gained during the recess, as to the means by which he proposed to supply the desideratum. He was afraid that his hon. Friend had got into the hands of the doctors, and his opinion was that there were few men who were much better for that. Of all the methods which had been proposed for obtaining these very important statistics that which called in the aid of the doctors was perhaps the worst. [MR. BRADY: Oh!] His hon. Friend had a professional sympathy, but he (Lord Naas) had none, and therefore he repeated that they were about the very worst machinery that could be used. It appeared by his right hon. Friend's Bill that it was proposed to limit the choice of boards of guardians to the dispensary doctors, who were to have a *primâ facie* right to these appointments, wholly irrespective of their qualifications, their leisure, place of residence, or any other consideration. That, to his mind, was a very grave objection to the Bill. Now, that was not the case in England; for although it was perfectly true that in England a great number of medical men held the appointments, yet the choice of the appointing bodies was not limited, and, in point of fact, it was found that some of the most efficient registrars in this country were not medical men, nor in any way connected with the medical profession. Then, again, many of the medical men in Ireland were in very large practice, and their time very valuable. By the Bill they made the registration of the birth or death compulsory upon the person, who would have to go many miles to give the information to the registrar, and in nine cases out of ten the person would find the registrar away from home. That was an inevitable result, and therefore it was that he contended that the doctor in Ireland, from his high position, his large practice, and the demands upon his time, was of all others the most unsuitable man for the post. The duties were such that they could be performed quite as well by a clerk as by the highest surgeon, and therefore he thought the imposing of them upon medical men was a great mistake. Then, with regard to the size of the dispensary districts. The size of them was very great indeed; and if they made the registration compulsory, they would find great inconvenience and hardship the consequence, causing people to travel, perhaps fifteen or twenty miles, to register the birth or death of a particular member of their family. Such were a few of the objections he had to urge against the Bill. He thought it would be much better to leave it to the discretion of boards of guardians to appoint such parties as they might think fit. There was one important omission in the Bill, which he much regretted. It made no provision for the accurate registration of marriages, a matter so materially bound up with the question of property. Indeed, with regard to that subject, the register of the marriage was of primary importance, as determining the right of succession, legitimacy, and other questions upon which the possession of property turned. An admirable scheme of marriage registration had been laid before the Committee, which there was every reason to believe would receive the assent of a large majority of the community. He knew the question was a very delicate one; but it was perfectly possible to avoid the main difficulty by showing that the registration was in no way connected with the law of marriage. He still hoped his right hon. Friend would be induced to devote his attention to this part of the question. There was ample information at his disposal, as all the leaders of the different political and religious parties in Ireland had publicly expressed their opinions on the question, and his right hon. Friend had nothing to do but to take those opinions and adopt the best plan recommended by them. He did not mean to offer any serious opposition to this measure, but he reserved to himself the power, if he should think fit, not only to offer amendments as regarded the registration of births and deaths, but also to extend its provisions to the registration of marriages in Ireland.

Mr. BRADY said, it was a disgrace to the nineteenth century that any portion of the kingdom should be without a proper registration of births, deaths, and marriages. He regarded an efficient system of registration of births and deaths as most important, not only in a statistical and social, but also in a moral point of view. But to make it effective there must be a proper staff; and, apart from his professional predilections, he maintained that medical men were of all classes the best qualified to act as registrars. In England butchers and bakers were appointed registrars, who, in copying the cause of death from the medical certificate, were often totally at a loss, being ignorant of the professional meaning of the terms employed. It was true, no doubt, that dispensary doctors in Ireland were in full employment, but there was on that very account no difficulty in handing to them the particulars for registration, as they were almost always engaged in the houses where either deaths or births took place. He saw no necessity, however, for the appointment of superintendent registrars, as the medical men who were to act as registrars were better educated and a superior class of men in many respects to the clerks of the unions whom it was proposed to place over them. He therefore would suggest that that provision of the Bill should be withdrawn. Upon the whole, however, he thanked the right hon. Baronet for having introduced the Bill, which, after some alterations had been introduced, would, no doubt, be likely to produce a beneficial result.

Mr. MAGUIRE said, he congratulated the right hon. Baronet in getting out of the hands of Sir Henry Browning and the police of Ireland. He was amazed when Sir Henry Browning stated in the Committee that in order to make the Bill popular it should be placed in the hands of the police, and that any village constable could make an entry of a birth, death, or marriage as well as a clergyman of any religious denomination in Ireland. He was glad that the right hon. Baronet had given up so unpopular a scheme as that, because nothing could be more unpopular than to commit these duties to the Irish constabulary. He thought the doctors were the right men to whom they should be intrusted, and he was glad the right hon. Baronet had saved the Bill from what would have endangered it in that House, or, if passed, would have destroyed its working in Ireland. The alleged difficulty of getting dispensing doctors who had lucrative practices to act as registrars for a trifling remuneration could be met, if it existed, by giving the board of guardians power in such cases to appoint some other persons to act as registrars. Some observations had been made respecting the clerks to the boards of guardians, but from his experience he believed those gentlemen were well qualified to collect the statistics in the manner prescribed by the Bill.

Mr. M'MAHON said, he was also glad that the right hon. Baronet had avoided the introduction of the police in the Bill. He should, however, find it his duty to oppose it, for reasons which he believed were largely shared in by the community in Ireland. The measure would entail upon the people of Ireland an expense of £16,000 a year at a time when all complained of being overtaxed for local purposes, and they naturally desired to know what return they would get. Social science might find some advantage in the statistics, but he believed the Bill would be of no real value unless it incorporated a provision for registering marriages. The right hon. Baronet said the Bill would be of great advantage in enabling persons to establish heirships, but what would be the use of proving a birth or death unless they also proved the marriage? He believed the timidity to introduce such a system arose from the unwillingness to repeal the penal enactment against Catholic priests who celebrated mixed marriages. If the right hon. Baronet would make up his mind to repeal that enactment, so opposed to the spirit of the present time, and would introduce a system of registration of marriages, he would entitle himself to the gratitude of the great bulk of the people of that country.

MR. GEORGE said, he must express his surprise, after so long a time had elapsed since the subject was first under discussion, that the right hon. Baronet had not thought proper to bring in a Bill relating to marriages as well as births and deaths. The Committee appointed by the right hon. Gentleman's predecessor which sat two years ago, and was composed of men of every creed and denomination, came to an almost unanimous resolution that there ought to be registration of marriages in Ireland, and that such a registration might be easily effected by the clergy of different denominations, who should receive a small fee, and send the registers to a chief office in Dublin. From the spirit manifested before that Committee, he did not anticipate there would be any difficulty in getting rid of the obnoxious Act of the 19th *Geo.* II., and of establishing a perfect system of registration for marriages as well as births and deaths. He thought that bugbear Act might be swept away with perfect safety to the Protestant religion, and without producing bad feeling on the part of any other denomination, if the subject were dealt with in a comprehensive spirit. In his opinion the Government had done wisely in dropping the plan of employing the constabulary, against which there were many grave and constitutional objections, but he hoped a wide discretion would be left to the Government or the boards of guardians, as a precaution against the possible inefficiency of the doctors in carrying out the provisions of the Bill, because it was not to be forgotten that doctors were not necessarily present at all deaths, and were only present at a proportionate number of births. As to the clerks of unions acting as superintendent registrars, they had no time to spare for duties extraneous to their office, and he doubted the propriety of giving them the appointment. He did not understand whether the registrars were to be paid out of the poor rate or county rate.

SIR ROBERT PEEL: The superintendent registrars will be paid out of the Consolidated Fund, and the registrars out of the poor rate.

MR. GEORGE said, it would be a greater boon to Ireland if the whole expense were borne by the Consolidated Fund. He did not think it was the part of a wise statesman to increase the local burdens in that country at a time when those burdens were too heavy for a large portion of the ratepayers, and when a very large amount of distress existed amongst the small tillage farmers of Ireland.

SIR GEORGE BOWYER said, in his opinion the right hon. Baronet had acted wisely in bringing in a Bill for the registration of births and deaths, and omitting marriages. The reason was obvious. Births and deaths were matters of fact, but questions of marriages involved other subjects of a far more difficult and delicate character, especially in a country like Ireland, where there were different religious denominations who celebrated marriages in a different way and on a different principle. In accordance with the highest authority among Roman Catholics in Ireland, he could state that the present marriage law was satisfactory to the largest portion of the population, and he would advise the Government not to get into hot water by interfering with it. On principle, the law as to mixed marriages was undesirable, because it was a penal law and produced no good effects, but he did not think that the grievance was at all felt in Ireland. No doubt marriages ought to be registered, and he was far from saying that a Bill for the purpose could not be concocted, but it ought to be dealt with as a separate question, and perfectly distinct from the registration of births and deaths. He was very glad, therefore, that it was not included in the Bill; and if the subject were referred to a Committee, he should be happy to give all the assistance which it was in his power to afford towards producing a satisfactory measure.

SIR ROBERT PEEL said, he agreed with the hon. Baronet (Sir George Bowyer) that it would be most difficult to deal with the marriage question in the same Bill that related to births and deaths. As regarded the charge upon the counties, it would only be five-sixteenths of a penny in the pound, and the total valuation of Ireland being £12,400,000, the charge imposed by the Bill would be a little more than £16,000. The charge, he thought, was too small to be the subject of serious objection on the part of the Irish Members.

Motion *agreed to.*

Bill for the Registration of Births and

Deaths in Ireland, *ordered* to be brought in by Sir ROBERT PEEL, Sir GEORGE GREY, and Mr. CARDWELL.

Bill *presented*, and read 1°. [Bill 9.]

ECCLESIASTICAL REVENUES.

SELECT COMMITTEE APPOINTED.

MR. HENRY SEYMOUR said, he rose to move the reappointment of the Select Committee to inquire into the present state of the Ecclesiastical Commission, and to report to the House whether the Ecclesiastical Revenues could not be more advantageously administered for the interests of the Church than at present. The Committee sat last year, and before the close of its labours collected a large amount of evidence; and not having time to complete their investigation, had agreed to a Report recommending the reappointment of the Committee this Session. There was further evidence which it was desirable should be taken before the Committee made its Report, but he did not apprehend that the inquiry would be of a protracted nature.

Motion *agreed to.*

Select Committee *appointed*,

" To inquire into the present state of the Ecclesiastical Commission, and to report to the House whether the Ecclesiastical Revenues cannot be more advantageously administered for the interests of the Church than they are at present."

House adjourned at Twenty minutes before Eight o'clock.

HOUSE OF LORDS,

Tuesday, February 10, 1863.

THE CONVICT SYSTEM—TICKETS OF LEAVE.—QUESTION.

EARL STANHOPE said, he wished to put a Question to the noble Earl the President of the Council on the subject of tickets of leave. Their Lordships were aware of the numerous acts of violence which had been committed since last Session not only in London but throughout the country, and they also knew how general was the feeling of alarm caused by those outrages. There was also, he might say, a general conviction that the system of tickets of leave as framed by the Government eight or nine years ago, however good in theory, had not worked well in practice. It had been announced that a Royal Commission had been appointed to inquire into the whole subject; and he did not intend on the present occasion to anticipate in the slightest degree the conclusions at which that Commission might arrive; for, remembering the great ability and experience of many of the Gentlemen named as Commissioners, he had every hope that the inquiry would lead to some good and practical suggestion. But he could not conceal his own opinion that it would have been better for the public interests if, instead of a fresh Commission, instead of seeking for further information on a subject on which they already possessed ample knowledge, the Government had decided on independent action of their own and had brought forward on their own responsibility on the re-assembling of Parliament some measure of reform. He was informed, however, that pending the labours of the Commission, the Secretary of State considered the evil to be of so pressing a character that he had already taken some important steps with the view of mitigating the evil complained of. It was said that a circular had been issued to the chairmen of Quarter Sessions, and he thought it would be desirable that the noble Earl should state the object of that document. He apprehended that it had been issued for the purpose of diminishing the number of convicts set free periodically, and besides ascertaining the exact nature of the orders given, he should further like to know, whether any calculation had been made, founded on statistics, as to what the diminution was likely to be. He now begged to ask his noble Friend for information on those two points.

EARL GRANVILLE said, he thought it would be inconvenient to discuss a subject which had only just been referred to a Commission. He should, therefore, confine himself to saying that a circular such as that referred to by his noble Friend had been issued by the Home Office in regard to persons who were recommitted, having formerly been convicted of other offences. In the case of such persons, no expectation of a remission of any part of their sentence was to be held out. No other important step had been taken. In answer to the second inquiry of his noble Friend, he had only to observe that it would be impossible to say what number of persons were likely to be recommitted.

THE EARL OF DERBY wished to ask whether a convict who, having received a ticket of leave which was only a conditional exemption from a portion of his sentence, was again recommitted before the time at which that sentence had expired would, in addition to the new sentence received by him after recommittal, have to go through what remained of the previous one. The intention of the law certainly was that ticket-of-leave men found associating with thieves, or even leading a suspicious life, should forfeit their tickets and undergo the original sentence; but, except perhaps in Ireland, he did not believe that principle had been acted on in a single instance.

EARL GRANVILLE said, that in the country parts of Ireland a very strict police supervision had been observed in respect of ticket-of-leave men; but the fact that such a supervision had not been carried out in Dublin showed the difficulty there was in giving effect to a system of that kind in large towns. His noble Friend was, however, mistaken in thinking that there had been no case of the revocation of a ticket of leave in England. Recently ticket-of-leave men had been made amenable for leading disorderly lives, keeping company with thieves, or committing offences of which the general law of the country was not exactly cognizant. In the case of a recommittal, he believed the custom had been to include the entire punishment in the second sentence.

THE EARL OF DERBY observed, that in accordance with that custom, a convict who had received a sentence of ten years' imprisonment, and who obtained a ticket of leave after four years, leaving six years of his sentence unexpired, might derive a positive advantage from a second sentence, which would wipe out six years of the first.

LORD CRANWORTH said, that no difficulty would arise, because the Judge generally had a discretion as to the term of sentence he should inflict.

THE DUKE OF MARLBOROUGH said, he would make an inquiry of the noble Earl, of which he had not given notice, and which he would be happy to postpone if the noble Earl could not answer it immediately. It had been stated in a public journal some weeks ago in giving an account of the convict establishment at Portland, that the convict Redpath, who was sentenced to transportation for life in the year 1857, was now at liberty on a ticket of leave; and, as the writer added, in all probability enjoying the proceeds of his felony. It would be recollected that this person was convicted at the Central Criminal Court in 1857, for one of the most enormous forgeries which stood recorded in the annals of crime. The Judge, in sentencing him, said that an amount of property to the extent of £40,000 or £50,000 was found in his residence, the proceeds of his fraud; that he was a very hardened criminal; and that considering the enormity of the offence, he must sentence him to be transported for life beyond the seas. It was now stated, upon somewhat reliable authority, that this man was at large, and owing to the imperfect state of the law, having been able to assign his estate to his relatives, was now enjoying the fruits of his frauds undisturbed. He (the Duke of Marlborough) wished to know whether there was any truth in the statement, as, if true, it showed a very absurd and inefficient state of the law.

EARL GRANVILLE said, that he could not undertake to enter into the details of any individual case without previous notice, but he would make it his business to inquire into the truth of the statement alluded to. He thought the noble Duke, however, was wrong in supposing that Redpath was now at large upon a ticket of leave. The man had been transported for life, and was still in the colony, though he might have a ticket of leave.

LORD CRANWORTH said, that Redpath, having been sentenced to transportation for life, was sent out of the country accordingly. It was well known, that after being in the colony for some time, a convict who conducted himself satisfactorily received a ticket of leave, and Redpath might be at large in this way. He could not return to this country.

THE EARL OF CARNARVON said, he understood from his noble Friend that the superintendence of the police over the holders of tickets of leave had been discontinued in consequence of the difficulty of carrying on that superintendence, although it was being rigidly carried out in Ireland. Now that put the whole question on a different footing, because he had always understood that the system had been found very effective in Ireland. He agreed with his noble Friend that the Government ought to have undertaken to deal with this subject, the responsibility being theirs exclusively. He would go even further, and say that the responsibility rested with a single individual. It was now fifteen years since Sir George Grey had undertaken the disposal of the criminal population. Since then he had been three several times Home Secretary, had had almost uncontrolled disposal of the Home Office, and had passed one or two Acts on the subject; and this being so, it was only fair to ask how we came to be landed in the present difficulty. It could not be said that Sir George Grey was without warning on this subject. Sir James Graham had warned him of the results which might be expected to follow from his measures, and, unfortunately, the predictions then made had been only too fully verified. He had beside received repeated practical warning by his own failures—failures which had been followed by repeated panics on the part of the public. Sir George Grey had mitigated the extreme penalty of the law frequently in opposition to the opinions of the Judges, thereby virtually absorbing the judicial functions in the office of Secretary of State, and, as he contended, trifling with that prerogative of mercy which, though it certainly belonged to the Crown, ought to be exercised very sparingly. Again, the conditions of the ticket of leave had been dispensed with on the irresponsible authority of the Secretary of State. He did not find any fault with the Commission which Her Majesty had been advised to issue. It comprised many able and experienced men, and no doubt any information which could be supplied on this question would be elicited by them. At the same time this was one of the questions which essentially belonged to the Executive, involving as it did the maintenance of order, and the security of life and property all over the country, and he thought that the appointment of a Commission was an unsatisfactory delegation of duty. Whatever might be their diligence, it would probably be late in the summer before they reported. A Bill would come up to this House, when their Lordships were in the thick of other work, and sufficient time would not be afforded for considering the subject.

EARL GRANVILLE was surprised at the attack made upon Sir George Grey by the noble Earl, upon the ground that he was wholly responsible for the doings of the Home Office during the last fifteen years.

THE EARL OF CARNARVON: I said he had had almost a monopoly of that office during the last fifteen years.

EARL GRANVILLE said, the fact was that transportation was given up in 1853, and Sir George Grey was not Secretary of State at the time. The system that was now pursued was exactly the same as that which had been adopted by his four predecessors in office, and Sir George Grey had pursued exactly the same course with regard to this matter as Mr. Walpole, who was the colleague of the noble Earl himself. With respect to the exercise of the prerogative of the Crown, if there was any instance of that exercise to which exception could be taken, the case should be brought before the House, when a reply could be given to it. With respect to the appointment of a Commission, it was a matter of opinion whether that was the best course; but he saw no reason to anticipate any great delay in dealing with the subject. A kind of panic had of late seized on the public mind—not unnaturally—but he believed that nothing could be more satisfactory to the public than the appointment of a Commission composed of eminent persons such as had been named.

THE EARL OF HARDWICKE said, one point of importance had been raised by the discussion relating to a matter of jurisprudence, and it was a very important one, for the public mind had long been directed to the subject, from an idea that the power which was exercised by the Secretary of State rendered it in many cases extremely doubtful whether the sentences of the Judges would be carried into effect or not. He would be glad to know whether the learned Members of that House approved of that line of public conduct, which in his opinion tended to lessen the opinion which had hitherto been held by the public at large in reference to the character of the judgments that were given from the bench, and which had until lately been held sacred in the eyes of the public.

House adjourned at Six o'clock, to
Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 10, 1863.

MINUTES.]—SELECT COMMITTEE.—Public Petitions,—Select Committee *appointed.*

PUBLIC BILLS.—1° Affirmations [Bill 11]; Illegitimate Children (Ireland) [Bill 13]; Church Rates Redemption [Bill 12]; Benchers' Jurisdiction and Authority [Bill 10].

LORDS COMMISSIONERS' SPEECH—HER MAJESTY'S ANSWER TO THE ADDRESS

THE COMPTROLLER OF THE HOUSEHOLD *reported* Her Majesty's Answer to the Address, as follows:—

"I receive with great satisfaction your loyal and dutiful Address.

"The interest you express in the Marriage of the Prince of Wales, and the attachment you entertain for My Person and Family are most gratifying to My feelings.

"You may be assured that I shall always be ready to co-operate with you in measures which have for their object to promote the happiness and welfare of My People."

THE VOLUNTEER FORCE.—QUESTION.

LORD HOTHAM said, that as great anxiety was felt in many parts of the country with respect to the proceedings of the Royal Commission appointed last year on the subject of the Volunteer Force, he wished to ask the Secretary of State for War, When he will announce the intentions of the Government with reference to the recommendations of the Royal Commission appointed last year to inquire into the state of the Volunteer Force?

SIR GEORGE LEWIS said, he would beg leave to state that it was the intention of the Government to adopt substantially the recommendations of the Royal Commissioners. The grant of a sum of money would be proposed along with the Army Estimates of the year, and when the subject was brought before the House he would enter into details on the measures requisite to carry these intentions into effect.

MUSIC AND DANCING LICENCES. QUESTION.

VISCOUNT ENFIELD said, he desired to ask the Secretary of State for the Home Department, Whether it is intended during the present Session to introduce any Bill with the view of improving the present system of licensing houses for music and dancing and for the sale of spirits?

MR. LAWSON said, he wished to ask the Secretary of State for the Home Department, Whether he intends to propose any measure during the present Session for amending the laws by which the sale of intoxicating liquors is permitted and regulated?

SIR GEORGE GREY said, the Government had a Bill in course of preparation which proposed to effect an alteration with regard to the sale of spirits and beer—that was to say, in the mode of licensing public-houses and beerhouses. It did not, however, go beyond that object. The only question with respect to licensing music and dancing houses which had been brought under his notice was, whether such licences should be granted to persons also holding licences for the sale of beer and spirits. He could not undertake to say when the Bill would be introduced. There was a Bill before the House, or about to be submitted to its notice immediately, on the part of the licensed victuallers of Liverpool, applicable to that large town and dealing with the licensing system. He thought it desirable that that Bill should be considered before a general measure dealing with the same subject was proposed for discussion.

CONVICTS.—QUESTION.

MR. GARNETT said, he rose to ask the Secretary of State for the Home Department, Whether he will lay upon the table of the House the Circular, dated 27th of January, 1863, addressed to the Judges, &c., stating that the regulations as to remission of sentence set forth in the Circular of June 27th, 1857, should not apply to persons sentenced for a second time to penal servitude; and whether any instructions have been lately issued to the convict prisons as to making convicts about to be liberated on licence known to the police; and, if so, whether they also can be laid before Parliament?

SIR GEORGE GREY said, there was no objection to the production of the later Circular to which the hon. Gentleman referred. The Circular of the 27th of January was already before the House. In answer to his second question, he might state that no general instructions had been issued having for their object the making of convicts about to be liberated on licence known to the police throughout the country. To do that would, he believed, be hardly possible. Instructions had, however, been issued that certain officers of the Metropolitan Police should have an opportunity of seeing the prisoners at Milbank, with a view to their possessing greater facilities for the identification of those persons. The arrangements entered into for the purpose were at present suspended in consequence of the inquiry in progress, and it was deemed better that before new regulations were made on the subject an opportunity for an expression of opinion with respect to it on the part of the Royal Commission should be afforded.

THE BANKRUPTCY ACT OF 1861.

QUESTION.

SIR FITZROY KELLY said, he wished to ask the Attorney General, Whether it is the intention of Her Majesty's Government to bring in a Bill, in the present Session, to amend the Law of Bankruptcy; and whether provision will be made in any such Bill for the consolidation of the Statutes of Bankruptcy?

THE ATTORNEY GENERAL said, he had to state to his hon. and learned Friend that the Government were not aware that any necessity existed for making any material amendments in the Law of Bankruptcy. But in regard to the administration of that Law, experience had convinced them more and more of the expediency of alterations being made, including, as was originally proposed, the appointment of a chief judge in bankruptcy. The Government would be prepared to recommend to the House a proposition of that nature, when it saw a fair chance of obtaining the sanction of Parliament. As to the consolidation of the Bankruptcy Law, he could state that the attention of the Lord Chancellor had been directed to the subject, but he could not promise that any measure would be introduced into Parliament for the purpose of such consolidation this Session.

AFFIRMATIONS.—LEAVE.

FIRST READING.

SIR JOHN TRELAWNY said, he rose to ask leave to introduce a Bill to allow certain persons to make affirmation in all cases where an oath was or should be required. He would only state that the Bill was substantially the same as the one of last Session, and which proposed to apply to this country the law in force in India.

Leave given.

Bill to allow certain Persons to make Affirmations in all cases where an Oath is or shall be required, *ordered* to be brought in by SIR JOHN TRELAWNY and MR. DILLWYN.

Bill *presented*, and read 1°. [Bill 11.]

ILLEGITIMATE CHILDREN (IRELAND).

LEAVE. FIRST READING.

SIR ROBERT PEEL moved for leave to bring in a Bill to amend the law enabling boards of guardians to recover costs of maintenance of illegitimate children in certain cases in Ireland.

MR. HENNESSY said, the Poor Law Act for Ireland had proved to be wholly useless and inoperative, as predicted last Session, and he should be glad to hear what was the scope and object of the measure.

SIR ROBERT PEEL said, the Bill was merely for the purpose of putting a proper construction on one clause which was inserted in the Act of last year, on the Motion of the noble Lord the Member for Mayo, there having been a difference of opinion amongst the chairmen of boards of guardians and the Law Officers of the Crown.

Leave given.

Bill to amend the Law enabling Boards of Guardians to recover costs of maintenance of Illegitimate Children in certain cases in Ireland, *ordered* to be brought in by SIR ROBERT PEEL and MR. BRUCE.

Bill *presented*, and read 1°. [Bill 13.]

CHURCH RATES REDEMPTION.

Bill for Voluntary Redemption of Church Rates, *ordered* to be brought in by Mr. ALCOCK and Mr. EVANS.

Bill *presented*, and read 1°. [Bill 12.]

BENCHERS' JURISDICTION AND AUTHORITY.

LEAVE. FIRST READING.

SIR GEORGE BOWYER said, he rose to move for leave to introduce a Bill to amend the law regarding the jurisdiction and authority exercised by the Benchers of the four Inns of Court in England in certain cases. The provisions of the Bill were precisely the same as those of that he introduced last Session. He would not go into its merits, or the reasons upon which it was founded, but he would only remind the House that his first Bill of last year was divided into two parts. The first part had reference to a reform of the constitution of the Inns of Court themselves; while the object of the second part was to institute a proper tribunal for the consideration of certain cases which came within the jurisdiction of the Benchers of the Inns of Court. There was considerable difference of opinion regarding the first part of the Bill. But it was thought by many that something ought to be done on the subject touched by the second part of the Bill, and he therefore consented that the Bill should be negatived in order that he might bring in another Bill which should be confined to the question of the Amendment of the Law in regard to the jurisdiction exercised by the Benchers of the Inns of Court in certain cases. That Bill was printed, and had no doubt been well considered during the vacation by those whom it concerned. What he proposed to do was to bring in that Bill again; and should leave be granted, he would give ample time to the Benchers to consider it, and he should be happy to receive any suggestions for the improvement of the measure. He thought public opinion was almost unanimous that something should be done on the subject. On the second reading of the Bill he would make a statement to the House of the details of the measure and the reasons upon which it was founded, and he hoped they would have such a discussion as would end in useful legislation.

The SOLICITOR GENERAL said, he did not rise to offer any opposition to the Motion of the hon. and learned Baronet, but to state, that in the event of any other measure being introduced on the subject by the Benchers of the Inns of Court, who had at present vested in them this jurisdiction, it would be understood that both the Government and private Members would be at liberty to adopt their proposal, whether in a substantive form or by way of Amendment to the Bill. The subject was no doubt one of great importance, and he was at liberty to state to the House that it had received the attention of the Benchers of the Inns of Court, that communications had taken place between them and the Government, and that he was not without hope that the result would be the adoption of some measure which might be recommended to the House by their unanimous assent. Those communications had not yet advanced far enough to enable him to say whether such would be their result; but if anything were done, his hon. and learned Friend would have early information of it, and he hoped that the second reading of this Bill would not be pressed on so as to interfere with the deliberations of the Societies upon the subject.

Sir FITZROY KELLY said, the observations of the hon. and learned Baronet led him to suggest that some understanding should be come to as to the period at which the Bill should be read a second time. They were within a fortnight or so of the circuits, when many of the hon. and learned Members of the House would be out of town, and he hoped the hon. and learned Baronet would not bring on the second reading until after the assizes were over. It would be desirable that the Bill of the Benchers of the Inns of Court should be before the House before the second reading of this Bill.

Leave given.

Bill to amend the Law regarding the jurisdiction and authority exercised by the Benchers of the Four Inns of Court in England in certain cases, *ordered* to be brought in by Sir George Bowyer and Mr. Hennessy.

Bill *presented*, and read 1°. [Bill 10.]

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POLAND—RELINQUISHMENT OF BRITISH POSSESSIONS.

QUESTIONS.

Mr. HENNESSY said, he had a Question to address to the noble Lord at the head of the Government in reference to Poland, though he did not intend to enter at any length into the question. But as a Motion on that subject would probably be submitted for the consideration of the House very soon, it was very desirable that they should be in possession of some important papers which he understood to be in the hands of the Government. He referred to the correspondence which had taken place between England and Austria, and between England and France conjointly and Austria, about Poland—a correspondence which had chiefly taken place during the Crimean war. He wished to ask the noble Viscount whether a proposal was made by Austria to the effect that Austria would agree to join the allies if the independence of Poland were declared, and in certain other eventualities? He also wished to know whether, owing to the favourable attitude taken by Austria, it had not been proposed to bring the subject of Poland before the Congress of Paris in 1856, and whether on that occasion Lord Clarendon did not suggest that it would be undesirable to discuss the Polish question, inasmuch as he hoped the

Emperor of Russia would grant reforms to the Poles. He begged to ask whether any such diplomatic action had taken place; and, if so, whether the noble Lord would have any objection to place it upon the table of the House?

Mr. DARBY GRIFFITH said, he desired to put the Question of which he had given notice in no unfriendly spirit to the noble Lord at the head of the Government. A grave trust, however, was imposed upon Ministers, especially during the recess of Parliament, and he believed that the action taken by the Government in reference to the Ionian Islands was almost unprecedented, and was such as to demand the serious consideration of Parliament. The question was whether during the recess a Minister could be at liberty, by a mere despatch, to relinquish territories which had once been *de facto* in possession of the British nation. The noble Lord drew a distinction between States held under a protectorate and those in full possession of the Crown; but, on examination, that distinction appeared to be merely verbal. In colonies, as in countries held under a protectorate, there was a superior Sovereign, a governor appointed by the Sovereign, and in both cases the country was occupied by a military force. When the harbour and fortress of Corfu was placed in our hands by the Treaty of 1815, was there any provision made for our ever relinquishing them? The noble Lord knows that those arangements were intended to be permanent—*Esto perpetua* was written on every clause of that Treaty in the intention of its concoctors. Did the noble Lord mean to infer that the Government were at liberty during the recess to cast adrift any of our colonies? There was a great fortress at the other end of the Mediterranean, and the indifference with which the noble Lord the Secretary of State for Foreign Affairs, when he was a Member of this House, appeared to regard the possession of Tetuan by the Spaniards was calculated to inspire a belief that he did not attach greater importance to the retention of that military appendage, the fortress of Gibraltar, than he did to our holding the Ionian Islands. He would, therefore, conclude by asking the First Lord of the Treasury, How far the interpretation of the Prerogative of the Crown is considered by the Government to extend in empowering the Crown to relinquish territories which may have been in the *de facto* possession of the British nation without the knowlege and consent of Parliament.

Mr. PEACOCKE said, that before the noble Viscount answered the question, he wished to call his attention to the present state of the question of the Ionian Islands. He was one of those who held the retention of the protectorate of the Ionian Islands to be by no means advantageous to this country; but he doubted whether Her Majesty's Government had acted with due circumspection in publishing to Greece, to the Ionian Islands, and the world that they were ready to cede these islands if two conditions were complied with, one being that the Greeks should choose a Sovereign acceptable to this country, and the other that they should succeed in obtaining the assent of the contracting Powers to the Treaty of Vienna to that cession. He thought that the Government ought to have obtained an assurance first that a candidate acceptable to this country would be elected, and next, that the assent of the other four contracting Powers to the cession of the Ionian Islands would be likely to be obtained. The candidate who was favoured by the noble Viscount had like some other favourites "bolted," and the announcement of the intended cession was, he feared, only likely to give an immense premium to the agitation for annexation that had previously existed in the islands. An hon. Gentleman stated the other evening that Corfu in the hands of the kingdom of Greece would be a standing menace to Turkey; but he (Mr. Peacocke) thought there was another country to which Corfu, in the hands of an aggressive Power, would be a far more serious menace, and that country was Austria. The commerce of the Adriatic was principally carried on with the port of Trieste. That port was the one great issue by which the products of Austria, containing some 40,000,000 inhabitants, were poured into the other marts of the world. 10,000 vessels entered that port every year. Therefore, he wished to know whether the noble Lord had obtained the consent of Austria to the cession of our protectorate over the Ionian Islands, or whether there was the least chance of his doing so? If he was correctly informed, the upper classes and the upper middle classes of these seven Greek Islands were Greeks only in name, and were really Italians descended from those Venetians under whose domination those Islands were so long. He thought it did not require the gift of prophecy to foresee that within a very few years after their annexation to Greece the inhabitants of the Ionian Islands might discover that they had made a remarkably bad investment, and a cry might then arise for annexation to some other country. Looking at the geographical position of Corfu, and the Italian descent of these islanders, it was by no means unlikely that they would demand to be annexed to the kingdom of Italy. An agitation of that kind would create the worst feeling between Austria and Italy, and would threaten to disturb the peace of Europe. If these Islands were annexed to the kingdom of Greece, there ought to be a stipulation that they should remain part and parcel of that kingdom, and should not be transferred to a sceptre under which they would become a standing menace to the tranquillity of Europe and the freedom of the Adriatic. If the consent of the four great Powers to the cession could not be obtained, the only result of the publication of the terms of cession by Her Majesty's Government would be to add fuel to the flame of dissatisfaction which had for some time prevailed in those Islands.

MR. ROEBUCK said, that in looking over the papers he saw no despatches from foreign Powers interested in the affairs of Greece and the Ionian Islands. He wished to know whether despatches had not been received from Austria in regard to the cession of these Islands; and, if so, why they were not laid upon the table?

VISCOUNT PALMERSTON: Sir, I am not able off-hand to answer the question of my hon. and learned Friend (Mr. Roebuck), but I will make inquiry. I will first answer the question of the hon. Gentleman the Member for the King's County (Mr. Hennessy) on Polish Affairs. He desires to know whether during the Crimean war Austria did not propose to France and England, to combine with her for the purpose of re-establishing an independent kingdom of Poland, and whether that subject was not again mooted at the Conferences of Paris. I answer that no proposal was made during the Crimean war by Austria to England and France to combine with her for the purpose of establishing a separate kingdom of Poland; but that, on the contrary, as far as we were informed—and the information came from the Austrian Minister at Paris, rather than directly from Vienna—the Austrian Government would never have consented to such an arrangement. So far from inviting it, such an arrangement was one to which Austria would have had insurmountable objections. That which passed at the Conferences of Paris is recorded in the protocols that have been laid before Parliament, and I am not aware that anything took place in those Conferences with regard to Poland which did not appear in the protocols that were laid on the table. Therefore the impression on the mind of the hon. Member that England and France received a proposition from Austria for the purpose of separating Poland from Russia, and establishing it as an independent State, is unfounded, and the hon. Member has been misinformed as to the course of that transaction.

The hon. Member for Devizes (Mr. Darby Griffith) asks me whether it is competent, according to the constitution, for the Crown by its prerogative to alienate, without the consent of Parliament, possessions that belong to the Crown; and he contended that the Ionian Islands are, to all intents and purposes, a possession of the British Crown. He says we take a vague and imaginary distinction between these Islands and a colony, because a colony has a British Governor, and the Ionian Islands have also a British Governor, while there are British garrisons also in both. This rather reminds one of the observation that there was an identity between Monmouth and Macedon. There was a river in Macedon and a river in Monmouth, and there were salmon in both. I do not think that the hon. Member has established the identity on which his argument is founded. There is a broad and substantial distinction between the two, and not one merely of form. The Ionian Islands have not been ceded by any treaty to England as a possession of the British Crown. They were by the Treaty of 1815 erected, or rather re-constituted, a separate and independent State—the Republic of the Seven Islands—and that separate and independent State was placed under the protectorate of the British Crown, and not given as a possession to the British Crown. The distinction is manifest and radical; therefore I contend, that if the hon. Member were able to establish that it is not competent for the Crown by an act of its prerogative to alineate any British possession—any possession acquired by conquest or ceded to the Crown by treaty, that argument would not apply to the Ionian Islands, which are in a separate and entirely different category. But with regard to cases of territory acquired by conquest during war, and not ceded by treaty, and which are not therefore British freehold, and all possessions that have been ceded by treaty, and held as possessions of the British Crown, there is no question that the Crown by its prerogative may make a treaty alienating such possessions without the consent of the House of Commons. The history of the country furnishes numerous instances in which cessions of this kind have been made. To mention some of the most recent and strongest cases—I do not now speak of possessions occupied during war, and never fully and finally given to the British Crown, but possessions that have been legally vested in the Crown and afterwards ceded to some foreign Power—there were Senegal, Minorca, Florida, and the island of Banea—all of them for a greater or less period of time possessions of the British Crown, and they were all ceded by treaty to some foreign Power. Therefore, there cannot be a question as to the competency of the Crown to make such cessions. I can, however, relieve the hon. Member's mind with regard to Malta and Gibraltar, by assuring him that there is not the slightest intention on the part of the Crown of making a present of either of these possessions to any foreign Power. There has been a great deal of misapprehension in the public mind with regard to this question of the Ionian Islands, and people in general imagine that we have by a stroke of the pen made a present of them to Greece. But no such thing has been done. What we said was, that if they chose a Sovereign in whom the British Government could place confidence that he would govern the country internally upon liberal principles, and that externally he would abstain from aggression on his neighbours, then we would take those steps which were necessary for the purpose of ceding the islands to Greece. But it does not depend on the will of the British Crown singly to do so. Those islands were placed under British protection by a treaty signed by the great Powers of Europe—by the Powers who were parties to the Treaty of Vienna, and whose consent to the cession must be obtained. But then, again, we are not going, even with the consent of those Powers, to transfer the population of the islands to another Power if that population be not willing. There are, therefore, required for the cession the consent of the Powers who were parties to the treaties of 1815, and the acknowledged and official consent of those who are the organs of the national will of the Ionians. But none of those steps have been taken, because the case has not arisen. No Sovereign has been chosen for Greece as yet, still less any Sovereign answering the conditions upon which further steps were to be taken. The hon. Member for Maldon (Mr. Peacocke) mentioned other conditions, which I agree with him would be indispensable; but, as the transaction has not arrived at that state in which one has to go into details, it is unnecessary to dwell on them. Undoubtedly it would be right, if those islands were to be annexed to Greece, that Greece should undertake by treaty not to alienate them, because it is quite clear that there might be arrangements by which the islands might come into the possession of some other foreign Power than Greece, to the detriment of neighbouring States. But we have not come to the point at which these details should be gone into. I wish the hon. Member (Mr. D. Griffith) and the House to understand that it is my opinion, founded on historical evidence, that the power to alienate even the possessions of the British Crown does exist in the Crown; but those islands are not possessions of the British Crown, and the transaction requires the consent of all the parties to the treaties of 1815. We have not taken any steps as yet to obtain that consent, because the transaction has not come to that point at which such proceedings on our part would be necessary.

Sir GEORGE BOWYER said, he was one of those who thought that on the whole it was desirable that this country should give up the protectorate of the Ionian Islands; but the fault he found with Her Majesty's Government was this. It appeared to him that before they declared their willingness to consent to the annexation of the islands to Greece they ought to have ascertained secretly from the other parties to the Treaty of Vienna whether they would give their consent to such annexation. Let the House consider the position of matters. There had been an agitation in Greece for the annexation of the islands to that country; and Her Majesty's Government had declared to the islands their willingness that such annexation should take place. But what was the position of the other Powers parties to the treaty? His hon. Friend (Mr. Peacocke) had stated good reasons why Austria might object to the annexation. But the Government had thrown upon Austria all the odium of refusing to consent to a measure which was popular in the islands. He did not think that was acting either wisely or fairly. That was the objection which he made to the course taken by Her Majesty's Government. It was an objection which would doubtless be repeated in that House; and it would be for the Government to justify the publication of their intention—of their willingness, rather—to assent to the annexation of the Ionian Islands to Greece before ascertaining the wishes of the other Powers who were parties to the Treaty by which those islands were placed under the protectorate of Great Britain.

CHURCH RATES COMMUTATION.

Mr. NEWDEGATE said, he wished to offer his apology to the House for having been a few minutes late in his place, and consequently unable to answer when his name was called by the Speaker. He rose for the purpose of giving notice that he would, on the following day, move for leave to bring in a Bill "to establish a charge in lieu of Church Rates for the commutation thereof, and to afford facilities for the provision of other funds applicable to the purpose of Church Rates." In fact, his Motion would be for the re-introduction of the measure which the House permitted him to bring in at the close of the last Session, in order that it might be considered during the recess.

Motion *agreed to.*

SUPPLY.

House in Committee.

Moved, "That a supply be granted to Her Majesty:" — Lords Commissioners' Speech *referred:*—Motion *considered.*

(In the Committee.)

Lords Commissioners' Speech read.

Resolved, "That a Supply be granted to Her Majesty."

Resolution to be reported *To-morrow.*

House adjourned at a quarter before Six o'clock.

HOUSE OF COMMONS,

Wednesday, February 11, 1863.

Minutes.]—New Writ Issued.—For Lisburn *v.* Jonathan Richardson, esquire, Manor of Northstead.

Supply.—Resolution *reported,* and *agreed to.*

Public Bills.—1° Church Rates Commutation [Bill 14]; Aggravated Assaults on Women and Children [Bill 15].

2° Salmon Fisheries (Ireland) [Bill 1]; Drainage of Land (Ireland) [Bill 7].

SALMON FISHERIES (IRELAND) BILL.

[BILL 1.] SECOND READING.

Order for Second Reading read.

Mr. M'MAHON moved the second reading of the Bill, the object of which, he said, was to make the law the same for Ireland as for England and Scotland. Up to 1842 the law of the three countries on the subject of the Salmon Fisheries was identical. Therefore, up to 1842 every person had a right to fish in the tidal waters of Ireland, and no landed proprietor was entitled to put weirs in a river in derogation of such public right. The Commissioners upon Irish Fisheries in 1836 referred to the Reports of the Commissioners on British Salmon Fisheries, and reported that what was requisite for them would be generally found sufficient for the fisheries of Ireland. Nothing was done upon that Report; but in 1842 an Act was passed with reference to Ireland, upsetting all previously established law and disregarding every principle of public justice. He had searched the Journals of the House, and could find no trace of any statement being made in introducing that measure. The Bill passed without comment, and a Gentleman informed him that it was passed through Committee so fast that another Member said, "This must be a flagrant Irish job, for not a single Irish Member says a word about it." It was a most flagrant and outrageous job, and the main object of this Bill was to repeal those sections of the Act of 1842 which were named in the schedule. The 18th section of that Act pretended to raise a doubt whether persons possessed of a several fishery might erect stake nets and stake weirs in the sea and tide ways, although persons had been successfully prosecuted for attempting to do so, and the section then proceeded to give them such right. The 19th section gave a right to any one interested in fee or by a term of not less than fourteen years in adjoining lands where no several fishery existed to erect stake nets and stake weirs, provided they were not injurious to the navigation. But they were detrimental to navigation, and this was a most monstrous encroachment on the public rights. Another provision saved the rights of persons who had had stake nets and stake weirs for more than twenty years; so that persons who for all that time had defied and violated the law were thenceforward empowered to do so with impunity. The 26th section provided that no stake net should go below low-water mark; but one of the most effectual contrivances for ruining the Irish fisheries was the bag net, and sometimes, he believed, they were carried three-quarters of a mile below low-water mark. The Act of 1842 was not only pernicious to the public, but most unwisely drawn for the interests of the individuals whom it was intended to benefit. It had to be amended in 1844, in 1845, in 1846, in 1848, and again in 1850. There never was anything like it in England. English legislation was directed to abolish weirs in tidal rivers as nuisances, and numerous were the Acts passed for that purpose. The ancient mode of proceeding had fallen into desuetude. The remedy by indictment was dilatory, and there were no means of recovering the expenses from the wrongdoers. In 1861, therefore, the Act was passed for England giving a summary mode of enforcing the law, and by this Bill he proposed to extend the benefit of that legislation to Ireland. His hon. and learned Friend the Member for Youghal (Mr. Butt) had announced it to be his intention to move, by way of Amendment to the Motion of the second reading of the Bill, that it was desirable that a Royal Commission should be appointed fully to inquire into the rights of the owners of property secured by the existing law regulating Irish fisheries, before any legislation on the subject took place. He, however, contended that ample inquiry in that respect had already been made, as was evidenced by the number of Reports which had been laid before the House; while he protested against the argument that his measure would, if passed, confiscate the property which rightfully belonged to any individual, the only persons with whose property it would interfere being those who claimed a right to set up weirs in contravention of the rights of the public, of patentees, and of the inland proprietors. It was absurd to maintain that the Legislature, having been tricked into the passing of such an Act as that of 1842, which he must characterize as a job, was not now at liberty to retrace its steps. He must further observe, that if any of the Encumbered Estates Court Commissioners had ever given the assurance to a purchaser of land under the Court that the Act of 1842 would never be repealed, he deserved to be removed from his position for selling property under a false suggestion. He did not, however, believe that any such assurance had been given; while, if the person making the purchase simply proceeded on the suggestion of their own agents, and merely speculated on the non-occurrence of a particular event, they had not, in his opinion, the slightest claim to compensation. The Act of 1842, beyond all doubt, confiscated the common law right of the public in the common of piscary; and that being so, he asked the House to assent to his Bill, and thus assimilate the law of Ireland to that of England. He had brought the question of salmon fisheries more than once before the House as a test to ascertain whether the same laws could be secured for both counties; but he regretted to find that the saying of Swift was still applicable, and that it would appear as if the British Government sent their young statesmen to learn that which was best and most beneficial in the laws of every other country, and applied to Ireland the very reverse. He hoped, however, that on the present occasion the House would sanction, by a large majority, the extension to Ireland of the provisions of the English Act relating to the Salmon fisheries, and in that hope he begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. BUTT said, he rose to move the Amendment of which he had given notice, and which asserted the expediency of further inquiry, either by a Royal Commission or before a Committee of that House, before legislation on the subject under discussion took place, for he contended that the operation of the Bill would be to unsettle those rights of property existing in the owners of land abutting the shore in Ireland which it was the object of the measure of 1842—a measure deliberately sanctioned, and in no way deserving the appellation of a job—to establish. That which was called the foreshore belonged, he admitted at once, as a general rule, to the Crown in trust for the public; but in England, and, to a still greater extent, in Ireland, the proprietors of the adjoining land were also frequently the proprietors of the foreshore, and had in more than one instance successfully upheld their claim to it as against the Crown. Disputes having in several instances arisen on the subject, the whole question of the Irish fisheries was in 1842 brought under the notice of the House by the Government of the day; the present Earl of St. Germans having been at the time Secretary for Ireland, and Mr. Smith, who was now the Master of the Rolls in that country, and who was thoroughly acquainted with the subject, having been one of his law advisers. The Act passed under their auspices gave to proprietors of land along the coast certain rights of property between high and low water mark, and those rights, deliberately guaranteed by the Legislature and hedged round by certain restrictions, it was proposed by this Bill altogether to set aside. His hon. and learned Friend, in seeking to carry out his object, professed to be extremely desirous of assimilating the law in Ireland to that in operation in this country; but then he had omitted to introduce into his Bill, in several respects, provisions which would completely have that effect, while he seemed to attach no weight to the fact that the statements in the public press, as well as the reports of the Inspectors, went to show that the Irish fisheries had greatly improved of late years. What he and those whom he represented wanted was that a Royal Commission should inquire into this subject; and if it could be shown that the lower proprietors took an unreasonable quantity of salmon, he should not object to such a modification of the law as would make a more equitable division of the fish. If it was true, as the hon. and learned Gentleman said, that the erection of a private weir was an indictable offence, why should the House be troubled with a Bill of this nature? But it was impossible that the hon. and learned Gentleman himself could seriously contend that the doing of a thing authorized by an Act of Parliament was an indictable offence. That Act gave to every landed proprietor the right of fishing by means of stake nets fixed in the bed of the river adjoining his land. The right of fishing in that particular way had even been made the subject of marriage settlements, and it involved a considerable amount of property. Not only rich men, but poor men also, were interested in the non-disturbance of the existing fishery law. Several poor industrious men had taken leases of plots of land adjoining rivers, mainly for the purpose of obtaining a livelihood from the fish they might catch in the weirs fixed in the rivers adjoining these plots of land. But he utterly denied that the salmon fisheries of Ireland were injured by these stake nets. It was in the Blackwater and the estuary of Waterford that most of those engines were to be found, and yet in both those places the Commissioners in the year 1861 admitted that the fisheries had not within the memory of man been in a better state. This was no question of the preservation of the fisheries; it was solely a question between the upper and the lower proprietors. The only objection to the stake nets was that they were too effectual; but if they caught too much fish, the proper plan would be, not to abolish them altogether, but to limit the time during which they should be used. The effect of this Bill would be to destroy the commercial fisheries of Ireland for the benefit of the upper proprietors, and to such an injustice he would never consent. He had some right to complain of the way in which this Bill had been forced on, the second reading being moved on the first Wednesday of the Session, when many hon. Members who were greatly interested in the subject were absent; and as he believed that inquiry ought to precede legislation, he moved as an Amendment—

> "That any legislation affecting the rights of the owners of property secured by the existing laws regulating Irish fisheries, ought to be preceded by a full and complete inquiry either by a Royal Commission or a Committee of this House."

COLONEL LUKE WHITE, in seconding the Amendment, said, that he desired to explain, first, that he did so as a private Member of that House, and not as a Member of the Government; and, secondly, that his family were not nearly so largely interested in the preservation of stake nets as seemed to be supposed. He did not believe that his father's interest in stake nets amounted to £200 a year; and although he should be sorry to lose that, yet he should not feel disposed to imitate the example of the gentleman who last year, said that if his weirs were taken from him, he should hang himself. The lower proprietors of Ireland were very much dissatisfied with the result of the inquiry last year before the Committee of that House, on which they were not fairly represented, and they were most anxious that the subject should receive further investigation before there was any legislation. The principal argument of the "Abolitionists," as they were called in Ireland—that was, those who were anxious to do away with stake nets—was that for the last ten years the fisheries had been gradually declining, until there was now hardly any fish left. This assertion was directly contradicted by the Reports of the Commissioners, all of which, from the year 1853 to 1859 inclusive, spoke of the fisheries as steadily and progressively improving—

> 1853.—"We have pleasure in referring to the marked improvement which has taken place in the Salmon Fisheries throughout this country."
>
> 1854.—"We are glad to report that the Fishery Laws are working well, and to this source may be attributed the *increased prosperity* which has been observable during the year in the Irish Salmon Fisheries."
>
> 1855.—"As regards the Inland or Salmon Fisheries, we are happy to announce that they are progressing and *rapidly improving*."
>
> 1856.—"The Salmon Fisheries are steadily increasing in value, and in most cases are in a prosperous and flourishing condition.
>
> 1857.—"With respect to the Salmon or Inland Fisheries, we are enabled to report a progressive improvement.
>
> 1858.—"The Salmon Fisheries of Ireland present a much more flourishing condition; they are progressively improving.
>
> 1859.—"The state of the Salmon Fisheries continues to be satisfactory."

It was not until 1860 that Mr. Fennell, one of the Commissioners, had altered his views. In his Report of that year, he stated that the fisheries had fallen off. He (Colonel White) admitted that fixed engines, more particularly bag nets, had increased of late years, but movable engines and salmon rods had increased to a much greater extent. While fixed engines had between the years 1852 and 1861 increased in number from 275 to 409, being an addition of 134, the number of movable engines had grown from 937 to 1,224, an increase of 287; and that of salmon rods from 899 to 1,757, an increase of 858. The whole amount of licence duty now collected in Ireland amounted to £5,217, of which about £2,300 was paid by the stake nets. If these nets were abolished, how was that large amount of duty to be replaced? It was said, by draught and drift nets; but such nets were used principally by poor fishermen who could not afford to pay the licence, and in some rivers, as for instance the Shannon, they could not be used at all. He approved the clause in this Bill which provided that there should be a gap in every stone weir to enable fish to go up the river; but he regretted that the measure contained no prohibition of netting in fresh water, a mode of fishing which had always been steadily condemned by Mr. Fennell, and which in his (Colonel White's) opinion was quite as necessary as the abolition of stake or bag nets. It had been urged in favour of this Bill that it would assimilate the law of Ireland to that of England; but it appeared from the reports of the proceedings of some of the Boards of Conservators that the English Act did not give entire satisfaction to those who were interested. He was not opposed to legislation. On the contrary, he was prepared to meet Gentlemen half-way if they would only do what was fair and not attempt to take everything from them. Although they were called robbers and poachers, they held their fisheries under an Act passed in 1842, and therefore he thought that this House ought not lightly—or he might say violently—to interfere with the rights of fishery proprietors. For all these reasons, he hoped that the House would not allow this Bill to pass into law without some further inquiry.

Amendment proposed,

> To leave out from the word, "That" to the end of the Question, in order to add the words "any legislation affecting the right of owners of property secured by the existing laws regulating Irish Fisheries, ought to be preceded by a full and complete inquiry, either by a Royal Commission or by a Committee of this House,"

—instead thereof.

Question proposed, "That the words proposed to be left out, stand part of the Question."

MR. LONGFIELD said, it was satisfactory to hear the declaration of the hon. and gallant Member for Kidderminster (Colonel White); but though he spoke as a private individual, no doubt he had done all in his power to enlist the antipathies of the Government to the Bill without success. For himself, he (Mr. Longfield) disclaimed being actuated by any private interests or motives whatever. To what purpose would this Royal Commissioner, if appointed, direct his inquiries? There had been already no less than ten or twelve Reports upon questions connected with Salmon Fisheries in different parts of the United Kingdom; but none of them, he admitted, were calculated to afford satisfaction to the opponents of this Bill, for they had all resulted in the damning fact that stake nets and bag nets were most injurious to the public interests. For his own part, he denied that he was interested in this question, either as an upper, a lower, or a shore proprietor. He was simply one of the public, and in that perfectly impartial capacity he had arrived at the conclusion that these weirs were detrimental to the fisheries themselves and injurious to the interests of the public. Under the existing legislation the public had been plundered by illegal weirs, and by weirs injurious to the navigation; yet, neither the Board of Admiralty nor the Board of Fisheries had interfered. At present the public were entirely without a remedy for illegalities and breaches of the fishery laws, though these might take place under their very eyes. They were tossed like a shuttlecock from the Lords of the Admiralty to the Fishery Commissioners, and each of these bodies shifted upon the other the responsibility of interference. But for the colourable and doubtful rights which had grown up under the Act of 1842 all these irregularities could and would be cleared away in a single week. The hon. and gallant Member for Kidderminster (Colonel White) had overlooked one very important Report in which the official framers stated that the supply of salmon was not as satisfactory as in previous years, and expressed fears that the high price of salmon was producing "an improvident desire for over capture." The appointment of a Royal Commissioner would be a discreet mode of getting rid of a difficult subject, as before that tribunal the whole of the 320 individuals claiming vested rights of the objectionable nature affected by the Bill would claim a right to be heard, and with dexterous management the inquiry might be protracted during the existence of the Ministry, and the existing state of things continued for the lives of all parties concerned. No doubt as to the illegality of Scotch weirs existed before the Act of 1842. The rights of shore proprietors and even of the Crown were well defined; neither had the least shadow of a right to erect a weir upon the foreshore. The public, on the other hand, were at liberty to fish freely in all the estuaries—and properly so, because the support of whole families depended upon the fish which might be caught. It was as members of the public that foreshore proprietors acquired the right of fishing, which they were enabled, indeed, to exercise more profitably than others, from being always on the spot and able to take advantage of favourable opportunities. There never was a more glaring invasion of private rights than the Bill of 1842, which in the estuary of Waterford alone at one fell swoop deprived thousands of hardy fishermen of their means of livelihood. It was contended that the Act of 1842 legalized stake weirs and fixed engines, but all he could say was that two of the ablest judges on the Irish bench decided that it did not. The assimilation of the law of England to that of Ireland and the opening of free gaps in the different weirs would go far to remedy and redress the injustice done by the hasty and improvident Act of 1842, would ultimately benefit those who were now opposing the Bill, and would immediately and very largely benefit the great mass of Her Majesty's Irish subjects.

Mr. HASSARD said, he could not but regret that a subject which resolved itself into a struggle between the interests of different classes had not been taken up by the Government and dealt with as a public matter. He could not better express his feelings on the subject than by reading a speech of Mr. Barry, delivered at a meeting of the Royal Dublin Society. Mr. Barry, a Fishery Commissioner, said, he deplored the conflict which commenced last summer between the proprietors of the upper and the lower part of the rivers, which had led to a state of society, with regard to the fishing interest, of a most appalling nature. There never had been till now such disgraceful poaching as existed in the upper waters. And Mr. Barry concluded his remarks by saying, that if the contest was to be continued, he trusted that the parties would act with moderation, that he was for placing the bag and the stake nets under proper restrictions; but, he said, he was sorry to see it proposed to abolish those nets, which took the fish in the best possible condition. The House ought not, however, to take away the rights conferred by or purchased under Act of Parliament without affording compensation to the owners. He hoped, with a view of determining the question of the legality of the weirs and of restraining them within proper bounds, so that each person should obtain a fair exercise of the public right of fishing, a Royal Commission would issue, and that the Government should hereafter introduce legislation on the subject.

Mr. J. B. SMITH, as a Member of the Committee which sat last year upon the subject, said, he desired to mention that in the case of the Tweed the removal of the fixed nets had led to a large increase in the number of fish, which had previously fallen from 40,000 to 4,000, and that those who thought themselves aggrieved by the abolition now found themselves benefited, as well as those in the upper waters. Every Committee that had been appointed to inquire into the subject were unanimous in recommending the abolition of fixed engines. They were the ruin of all our fisheries ; and if this mode of fishing were persevered in it would end in the extinction of the salmon fisheries of this country. The French Government had become alarmed on the subject of their fisheries from the same cause, and he believed there was now a proposal to abolish fixed engines altogether.

Mr. HODGSON said, that the size and quantity of salmon in English rivers had been already greatly benefited by the legislation that had taken place. The increase in the Tweed and other rivers had been so great within the last two years that he had never before seen one-tenth the present quantity of fish. He trusted the House would soon abolish fixed nets altogether.

Mr. MONSELL said, he considered it very desirable that some arrangement should be made which would put an end to the present contention between the proprietors of the upper and lower waters. There was a vehement agitation going on in Ireland upon the subject, and both sides seemed to take up the question in a spirit of partisanship, and to forget, when propounding their plans, that there were other interests concerned than those which they advocated. If these fixed nets were abolished, for fifty miles of the Shannon no fish would be caught. But what had roused the supporters of this Bill to action was, that the Act of 1842 had been most outrageously abused by the multiplication of weirs in all directions, by taking the measurement of low water at the neap tides, instead of the spring tides, and by throwing out bag nets. Now, to argue while these modes of taking fish were in use that the breed of salmon was increasing was the strangest doctrine he had ever heard. The strong agitation upon the subject which existed in Ireland, and which was increasing throughout the country, afforded a sufficient reason why the Government should take up the question, and, with the full and ample information they possessed, propose such a measure as would deal impartially with both of the disputing parties, and would be accepted by a great majority in the House. He thought that the right hon. Gentleman the Chief Secretary for Ireland, with the assistance of the Fishery Commissioners, might frame a Bill which should be satisfactory to all parties. He would suggest that there should be no weirs except Scotch weirs with only one bag, that the low water of the neap tides should be taken as the boundary, and that those weirs should be altogether prohibited which did not come within the spirit of the Act of 1842.

Colonel DUNNE said, the main question was whether Parliament would abolish the use of engines which were once deemed poaching, and the prohibition against which was taken off by the Act of 1842. The present system, if it were allowed to go on, would end in the entire destruction of salmon. One individual alone had exhausted the rivers of several districts in the West of Ireland by his fixed engines. He agreed that it was the duty of the Government to endeavour to settle this question. Why should not the Secretary for Ireland take this Bill under his protection and assist the Irish Members in passing it ? There had been already twelve inquiries into this subject—why have another ? Every Commission and Committee since 1842 had recommended the abolition of fixed engines. Parliament was therefore in a position to legislate in this sense.

Sir ROBERT PEEL said, that it was his intention to have addressed only a few words to the House, because, as the Bill of the hon. and learned Gentleman the Member for Wexford was almost identical with that of last Session, which was read a second time and referred to a Select Committee, it would be conformable to the practice of the House to permit the Bill to be read a second time rather than refer it to a Commission or Select Committee. It was now said, however, that the Government ought to take charge of a measure of this kind. But from the discussion that had this day taken place it was clear that a very strong and marked difference of opinion existed between the proprietors of the upper and lower fisheries in the rivers frequented by salmon, and it was almost hopeless to imagine that any measure could be framed at the present time which would enlist the support of both classes. He was, however, ready to undertake the task if it were thought desirable that he should do so. As to the question of public and private rights which had been raised in the course of the discussion, he held that public rights were entitled to protection, while he also thought that where private rights had been acquired they should be respected also. He did not want to see private rights destroyed without full consideration. The Act of 1842 legalized those fixed engines which had existed for twenty years prior, and the question arose whether those fixed engines ought to be absolutely removed without compensation to the owners. Now, he thought it would be very unfair towards the proprietors if those legalized rights should be thus destroyed by any Bill. But, on the other hand, if it were true that the salmon in the rivers of Ireland had been very considerably diminished, it was certainly an occasion on which the Government and Parliament should interfere. On that point also, however, there was a vast difference of opinion. On the one side it was said that the rivers were entirely depopulated of the fish, and on the other that the fisheries were never before so flourishing. Mr. Fennell stated last year that, though before the passing of the Act of 1842 the fisheries were brought to a very low ebb, they had been improving ever since, and that the upper part of the rivers never equalled in value the lower, in which the greater part of the fish was taken. He quite agreed in the latter opinion with Mr. Fennell. It was a well-known fact that the salmon, after leaving the salt water, gradually deteriorated in quality until it returned again to the sea. With regard to the course to be pursued on the present occasion, the hon. and learned Member for Youghal (Mr. Butt) had suggested a Commission to consider the subject. He (Sir Robert Peel) thought they had had enough of Commissions and Committees. Since 1826 they had had ten or twelve Commissions and Committees, which had fully considered the subject. He concurred in the opinion of the right hon. Member for Limerick (Mr. Monsell) that they were in possession of sufficient information without going again to a Commission, which would only retard the settlement of the question. If legislation was required, it ought to be proceeded with at once. He should be, therefore, very glad if the House would permit him, and he should obtain the sanction of the Government, to take charge of a Bill this Session upon the basis suggested by the right hon. Gentleman the Member for Limerick. If his hon. and learned Friend the Member for Wexford (Mr. M'Mahon) would consent to withdraw his Bill on the understanding that a Bill was to be framed on the basis suggested by the right hon. Gentleman the Member for Limerick ["No, no"], he should be very glad to undertake the measure ["No, no."] He would state exactly the length to which he was prepared to go in the preparation of that Bill. He would propose to give greater powers to the Commissioners in regard to the opening of gaps, removing obstructions in rivers and estuaries, and making the proprietors of weirs pay for them. Secondly, he would open all gaps for thirty-six hours instead of twenty-four, in accordance with the English Act—that is, from Saturday evening to Monday morning. Thirdly—and this was very important—he would limit the projection of stake nets and Scotch weirs to low water at neap tides, instead of low water at spring tides, as at present; and he would also limit the projection of bag nets. He would also make the licence-tax proportionate to the entire proceeds of the weirs—that is, to the produce of the engines for which the licence was paid; and, lastly, he would increase the penalties for infringing the law. Upon those bases he would be quite willing to undertake the conduct of a Bill, which might not go so far as that of the hon. and learned Gentleman, but would, he believed, be an equitable arrangement. If the House did not approve his proposal, he was prepared to vote for the second reading of the Bill now before them; because, as the Bill had passed a second reading last year, it would only be fair, under all the circumstances, not to oppose it. If, however, the House desired that he should undertake a measure such as he had described, he would labour particularly that no further fixed engines should be erected in places frequented by salmon, and he would limit the privilege to those which were now legally erected. He should be glad to adopt the course he had suggested if the hon. and learned Member would give two or three days for further consideration; if not, he was prepared to support the second reading.

MR. H. A. HERBERT said, he had heard with great satisfaction the statement of the right hon. Baronet. Having been a Member of the Committee which sat on the subject last year, he had come to the conclusion that it would be impossible ever to settle the question, unless some concessions were made on both sides. In coming to an agreement on this question they should distinctly understand what they were to agree to. The provisions of the Act of 1842 were not exactly as he understood them to be stated by the right hon. Baronet, for he said that that Act legalized weirs fixed before it passed. But the Act of 1842 went a great deal further, for it not only legalized existing weirs, but enabled any occupier to put up a weir. The consequence was that enormous abuses of the powers of the Act had taken place. It could never have been contemplated by the framers of the Act that those weirs should have been extended as they had been. The most important point to be considered was, how far they should go with the Act of 1842, and how far restrict the powers then given? He himself should be for allowing all the weirs which had been legally established since 1842 to remain, and for giving the most stringent powers to put down those which had exceeded the limits legalized under that Act. He thought they might fairly come to a compromise. He would recommend the hon. and learned Member for Youghal to withdraw his Amendment, and the hon. and learned Member for Wexford to postpone the further consideration of the Bill until the measure of the Government should be produced. ["No, no!"]

Lord NAAS said, he was glad the Government showed a disposition to arbitrate on this difficult question. However, he could not agree in the recommendation which had been made to postpone the Bill, because a good deal of time would be lost, and the propositions of Government could easily be made in the course of the Bill through Committee. The questions raised by the hon. Baronet involved matter for most earnest consideration, and he was afraid some of his proposals would hardly be sufficient to meet the ends in view. The existence of stake nets and bag nets in the preservation of the breed of salmon was, in his opinion, totally inconsistent with the country. He hoped the House would consent to the second reading of the Bill.

Mr. W. O. GORE thought that the right hon. Baronet was in error when he spoke of extending the close time from twenty-four to thirty-six hours. Thirty-six hours was already allowed. ["No, no!"] No hon. Member had denied that the effect of the Act of 1842 was a transference of property from one body of proprietors to another.

Mr. H. A. Herbert

Mr. GEORGE entirely approved the course taken by the right hon. Baronet, who had ample information in his hands, and thought it was a great pity that the subject had not been taken up by Her Majesty's Government from the first. He was sure that in the hands of the right hon. Baronet no attempt at injustice to any party whatever would be made.

Mr. M'MAHON said, he would strongly recommend the right hon. Baronet not to meddle with this question, because he would have quite enough to do with other measures which he might introduce. As for himself, he would admit of no compromise; but in Committee the right hon. Baronet might propose his Amendments, and if they were acceptable to the Gentlemen who acted with him, he (Mr. M'Mahon) should be willing to give them every consideration.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *25th February.*

CHURCH RATES COMMUTATION.

Bill to establish a Charge instead of Church Rates for the Commutation thereof, and to afford facilities for the provision of the other funds applicable to the purposes of the Church Rates, *ordered* to be brought in by Mr. Newdegate and Lord Robert Montagu.

Bill *presented,* and read 1°. [Bill 14.]

AGGRAVATED ASSAULTS ON WOMEN AND CHILDREN.

Bill for the better prevention of Aggravated Assaults upon Women and Children, *ordered* to be brought in by Viscount Raynham, Dr. Brady, and Mr. M'Mahon.

Bill *presented,* and read 1°. [Bill 15.]

House adjourned at half after Four o'clock.

HOUSE OF LORDS,

Thursday, February 12, 1863.

Minutes.]—Public Bill.—1ª Ecclesiastical Dilapidations [No. 5].

HARBOURS OF REFUGE.

OBSERVATIONS. QUESTION.

Lord RAVENSWORTH, in rising to call the attention of Her Majesty's Government to the Report of the Royal Commission appointed to consider the Question of Harbours of Refuge, and to ask if any steps are in progress to carry out the recommendations of the Commissioners which are contained in that Report, said, he believed that the present stagnation of public affairs, and the very mild tone of party feeling which happily prevailed, afforded a favourable opportunity for mooting a question of great national importance, and one which was regarded with much interest by the mercantile community. It was now ten years since this subject had engaged the attention of Parliament. It was first considered by a Select Committee of the House of Commons, and in 1858 was referred to a Royal Commission composed of most able and distinguished men, who after a long and careful inquiry presented their Report in 1859. In the first page of that Report it was stated that the annual loss of property caused by wrecks upon our coast, which was as much a loss to the nation as the burning of so many stacks of corn, was upon an average of six years, £1,500,000, and on the average 800 lives were lost every year from the same cause. In one year, indeed, there had been as many as 1,500 lives lost. The Commission in their Report pointed out certain exposed parts of the coast where harbours of refuge might properly be formed. He would not, however, refer to those places, because the question involved in the choice of sites was independent of the general question of the expediency of harbours of refuge. But considering how long this subject had been mooted, and how great was the annually increasing loss of life and property, he might fairly ask why no attempt had been made to carry out the recommendations of the Commissioners? The objections to such a course, independently of the difficulty and expense, were various. There were, it was true, some persons who declared that these harbours of refuge, if constructed, would be useless and unserviceable, that they would speedily silt up, and that they would afford no substantial protection to our shipping. To that opinion he could only oppose the opinions and recommendations of the Royal Commissioners. It was upon this point that he desired at this moment to bring the question to an issue. He should be glad to know from the noble Duke opposite (the Duke of Somerset) whether he entertained any such belief, and what proposal the country might expect from the Government upon this subject. Another strong *primâ facie* objection to the construction of these harbours arose from a cause which he feared could not be denied, and that was the apathy of the shipowners themselves. It was said that if these harbours were constructed small maritime towns would rise up around them, and they feared that the crews of vessels would be induced, under pretext of taking refuge, to run into these harbours, and there idling away time that might be profitably spent. There might or might not be some force in this statement, but there were two sides to every question, and when a vessel was tossed by the winds and waves upon an iron-bound coast, and certain death and destruction awaited the seaman and his ship provided he could not make a harbour, we should consider what now were the feelings of a crew so doomed, and what their feelings would be if they could obtain protection in a safe harbour. That was the true point of view from which to regard this question. Again, it was very generally stated that shipowners were in the habit of sending to sea unseaworthy vessels, imperfectly equipped and manned; that they were indifferent as to what became of the ship and cargo, the value of which was covered by the insurance; and that this accounted for a large proportion of the losses which every year took place upon the coast. He trusted that this accusation was not quite so well founded as many appeared to think it was. Certainly, during the late gales which had visited our coasts, many fine and well-equipped vessels had been unable to stand the fury of the storm, and had foundered; among them he might name the *Lifeguard*, a fine iron steamship plying between London and Newcastle, which went down during the last gale, with all her crew and passengers, amounting to sixty persons. It was more than probable, that if a harbour of refuge had existed on that part of the coast, as recommended by the Commissioners, a ship of this class would have been saved. With regard, however, to the charge against the shipowners, it must be remembered that every rag of protection had been stripped from them; they had been exposed upon their own shores to the unlimited competition of foreign ships, which were navigated, equipped, and built at much less expense than their own; and therefore it ought not to excite surprise if in some instances they had been compelled, in carrying on this competition, to send to sea ships badly found and not fully manned. That was a point, however, which he would not now argue. He had recently referred to the report of the National Lifeboat Institution, whose great services were well known; and he found it stated that within the last twelve years 7,640 lives had been lost upon our coasts, while in the last six years 16,119 lives had been saved by the boats and other appliances of the Institution. It was also stated that the wrecks had increased from 1,141 in 1855 to 1,494 in 1861. Those facts proved that, notwithstanding all the efforts of private benevolence, other means were required to meet the increasing risks which our enlarged commerce entailed, and the best means that could be suggested, he thought, was that the Government should take steps to provide harbours of refuge upon the most exposed portions of our coasts. England was now the depôt for the commerce of the world, and our policy of late had been to attract hither the largest portion of the carrying trade, and consequently the number of lives and amount of property at stake were continually increasing. The more, then, they made our coasts secure, the more they would succeed in their design. The attention of Parliament had been drawn to this subject in former Sessions. In 1858 a Resolution was moved in the House of Commons urging the Government to carry out the recommendations of the Select Committee respecting harbours of refuge. That Resolution was carried, notwithstanding the opposition of the Government; but nothing was done. In 1860 another Resolution was moved, but was lost, the Government objecting not to the merits, but that there were no funds then available for the requisite outlay. The main reason for his bringing forward this subject at the present time might be stated under three heads. In the first place, it had been recently stated that the Chancellor of the Exchequer would be able to show a surplus upon the revenue and expenditure of the year, and he thought that before any available means were disposed of it was right that the attention of the Government should be called to this most important subject. He was afraid, however, that that surplus was rapidly approaching its vanishing point. Another reason for his troubling the House upon that occasion was that he thought that convict labour, to a large extent, might usefully be employed upon such works as he referred to; and he further thought that the necessary demand for free labour which would also be required would afford the means of mitigating the distress now existing in Lancashire and Cheshire. Whatever course the Government might feel called upon to take, he had felt it to be his duty to call their attention to a subject so vitally important to a large portion of the population of these islands. He wished to ask, Whether any steps were in progress to carry out the recommendation of the Harbour of Refuge Commissioners?

THE DUKE OF SOMERSET said, that any one who looked at the list of casualties at sea annually presented to Parliament must entertain the same feelings as the noble Lord who had just sat down, and must anxiously desire that the Government should do all within its power to reduce the number of wrecks that take place upon our coasts. But the question opened a vast subject, which required to be dealt with upon other considerations than those which at first sight presented themselves. It was true that in 1858 a Committee of the House of Commons proposed that harbours of refuge should be constructed on our coasts, and recommended that the cost should be defrayed to the extent of one-fourth by the Government, and as to the remainder by passing tolls to be levied upon shipping. They also recommended that trading harbours should be made in some of the smaller ports, by improvements to be effected by means of loans. The Committee did not specify the precise points where the harbours of refuge should be made, but they recommended the appointment of Commissioners to survey the coast, and accordingly a Royal Commission was appointed in 1859. The Commission took evidence on the subject, and advised that passing tolls should be given up; therefore three-fourths of the funds designated by the Committee for making the harbours had been at once withdrawn. The Committee had recommended that £2,000,000 should be expended on the works—the Commission recommended an expenditure of £4,000,000, and that the greater part of it should be charged on the Consolidated Fund, and the remainder raised from local resources. No sooner was that recommendation made than all the persons connected with the localities in which harbours of refuge were to be constructed represented that it was quite idle to call on them to raise £1,500,000 in order to make harbours of refuge; they could do nothing of the kind; they might as well be called on to pay the national debt. It appeared, then, that such harbours, if made at all, must be made entirely by the country. Then the shipowners strongly objected to the passing tolls; they said they would sooner have no harbours of refuge at all than be liable to passing tolls. It was said in reply that harbours of refuge were a great advantage to shipowners, because the premiums of insurance would be diminished by the security of the coasts; but it was found by reference to the harbours already made, Holyhead, Kingston and Portland, that although they were much resorted to by vessels in stress of weather, their construction had not had the least effect in diminishing the premiums of insurance. Another objection to passing tolls was, that ships well found and properly loaded would keep the sea, and that only inferior ships, ill found and overloaded, would use these harbours, and that therefore the owners of the best ships would be taxed for those who sent the worst vessels to sea. In looking at this question, then, it should be considered that these harbours, if made, must be made by public money. It would be uneconomical to construct such works gradually; the best economy was to proceed with them rapidly. There was always a good deal of difficulty in fixing on the best site for such works. Then, he supposed, the harbours, when made, must not be left unoccupied or undefended. They must have some fortifications. From his experience of works constructed under water, he should say the expenditure on these harbours would be largely in excess of £4,000,000. The noble Lord had limited himself, in his observations, chiefly to the north-east coast of England, as being the district where most of the wrecks took place, and a harbour of refuge was most required; but the returns did not show this to be the case. He had before him a return of the wrecks which had taken place on the coast during the last twelve years, divided into districts, and he found that from the Fern Islands to Flamborough Head the total loss of life was 620; from Flamborough Head to the North Foreland, 1,068; but taking the other side, from the Skerries to the Mull of Kintyre, the loss of life was 1,597—a much larger loss than that which had occurred on the north-east coast. We had now been for many years engaged, and at great expense, in making certain harbours — Portland, Holyhead, the pier at Dover, and the harbour at Alderney. He was happy to say those great works, constructed at the public charge, were now drawing to a close. Portland would be finished by December, 1865. Alderney would be completed in 1864, unless some new scheme were added to the works. Holyhead was also in a fair way to be completed. He was very unwilling that Parliament should involve itself in fresh expenditure on account of works of that character until these great works were completed. There was another consideration, to which, indeed, the noble Lord had alluded. Portland had been a very convenient place for the employment of convict labour. Quarrying and moving stones was a species of employment very fit for large numbers of convicts. It was healthy work, and required little skilled labour; while those who were engaged in it for a lengthed period had learned sufficient of stonework to enable them on their discharge to earn by similar employment the means of livelihood. He believed that great economy had resulted from the employment of convict labour at Portland, although he was quite aware that many persons took a different view, and thought the work might have been done quite as cheaply, and perhaps more rapidly, without any convict labour whatever. The only mode in which he felt it would be desirable for the country to undertake the construction of a large harbour of refuge would be by having recourse to such a species of labour. The noble Lord had referred to the Vote of the House of Commons and the recommendations of the Royal Commission, and had intimated that nothing had been done in pursuance of them. But something had been really accomplished which was not unimportant. One of those recommendations was that trading harbours should be made by means of loans, to be obtained from the Public Loan Commissioners. Well, a Bill had been brought in on the footing of that arrangement, and under it about half a million of money had been raised. Therefore, it was incorrect to say that nothing had been done. On the contrary, he had a list of the places which had already borrowed considerable sums under that measure. Among them were Falmouth, the Tyne, the Wear, and others; and at present a large number more had applied to the Public Loan Commissioners, and their applications were still under consideration with a view to determine the conditions on which they should be acceded to. Therefore, not only were harbours in course of construction at the places he had enumerated, but a great many others would in a short time be in process of formation under that recommendation; and he thought it was of great advantage to the country that these works should be executed rather by local exertions than by the public. If the national funds were to be devoted to such a purpose, there would be a scramble on the part of different places to get the largest share. It would, he believed, be a great mistake so to follow out the recommendations of the Royal Commissioners as to make a great many harbours along the coast at the public expense. He did not think that such a saving of life and property as some persons anticipated would be effected by these harbours. All the evidence taken on the subject showed, that on the contrary, they would lead to persons continuing to employ very unseaworthy and badly-found ships. In the coal trade old tubs were sent to sea that were fit for nothing. Their owners insured them, and when the insurance covered the risk, they cared little what befell them. Such a thing as a worn-out ship being broken up was hardly known, the vessels being used until they some day went to the bottom; and in that way the lives of crews were sacrificed. He had now stated generally the views entertained by the Government on this question, and shown, he thought, that the subject had not been entirely neglected. Although they had not gone the length which the Commissioners had recommended, they had yet endeavoured, as far as possible, to assist private enterprise in the construction of trading harbours without increasing the taxation borne by the public. He was not prepared to say that it might not be desirable to try the experiment of convict labour further in the making of a large harbour. His own opinion, he confessed, had always inclined that way. But the matter involved many important considerations. A Commission was now engaged in investigating the treatment of convicts. He did not know whether this particular point would be included in their inquiries; but, at all events, he thought it was one well deserving of attention.

LORD RAVENSWORTH had heard with surprise that the loss of life was greatest on the west coast of Scotland; for there was on that coast no trade at all. The sufferers must, therefore, be almost exclusively fishermen. A glance at the wreck chart would show that the greatest number of disasters to ships occurred between the Humber and the Tyne; and he trusted that the Government would not be disinclined to consider favourably the claims of those parts of the coast which were so much exposed.

THE DUKE OF SOMERSET said, the figures he had quoted came from official returns, and he believed that they were true. It was melancholy to think of these spirited fishermen being thus lost; but he was glad to say that the harbour at Wick was in course of improvement.

CONVICTS—TICKETS OF LEAVE. RETURN PRESENTED—CASE OF THE CONVICT GILBERT.

Return Convicts (Tickets of Leave) *delivered* (pursuant to Address of 4th of August last).—(Parl. P. 6.)

THE EARL OF MALMESBURY said, he would remind the noble Earl the Lord President that before the close of the last Session he had asked for the production of any papers that might exist with reference to the grant of a ticket of leave to the convict Gilbert, who afterwards committed rape upon and murdered a young woman named Hall, at Fordingbridge. It appeared that Gilbert had none of the endearing manners which were supposed sometimes to prevail upon gaol chaplains and other persons to procure the remission of prisoners' sentences. On the contrary, he was known in the village to which he belonged as a sullen, ferocious and brutal man. The Government had not yet been able to furnish the information for which he had asked last year as to the circumstances under which Gilbert obtained his release from his original term of punishment, but he trusted they would be good enough to procure it.

THE DUKE OF MARLBOROUGH said, he also wished to repeat his Question relative to the convict Redpath, who was sentenced in 1857 to transportation for life. He desired to know, whether Redpath was at large upon a ticket of leave either in this country or in Australia; and also, whether, if he was at large in the colony, the terms of his release were such as would enable him to return home?

EARL GRANVILLE said, that he would make inquiries in reference to the Question of the noble Earl (the Earl of Malmesbury); and as to the second Question, he might say that Redpath, having been convicted in 1857, was in 1858 transported to Western Australia. Some time afterwards rumours reached this country that he was at large, and thereupon the Home Office made inquiries upon the subject, and the noble Duke (the Duke of Newcastle) sent to the colony to make inquiries there, but had not yet received an answer. He might, however, observe, that as to Redpath's return to this country, that was not possible unless he first obtained a pardon from the Crown.

The Duke of NEWCASTLE stated that Redpath was released, not contrary to existing regulations, but in virtue of new regulations established four or five years ago in the Colonies. Under the rules existing at the time he was transported, he would not have been entitled to a ticket of leave until the present year. Some years ago, however, on the recommendation of the Governor of the Colony, sanctioned by Sir Edward Bulwer-Lytton, a system of marks was introduced, and under that system Redpath obtained his release about two years sooner than he would have procured it under the old regulation. By good conduct he acquired a number of marks which entitled him to be set at liberty in 1861. He understood that an attempt had been made to charge Sir George Grey with carelessness in connection with this case. The truth was that Sir George, as Home Secretary, had nothing to do with it, except this—when Redpath applied for advantages additional to those conferred upon him by his ticket of leave, he (the Duke of Newcastle) referred to the Home Office. Sir George Grey, so far from acceding to Redpath's request, asked how he had obtained his release, and it was that question from the Home Secretary which led to all the inquiry into the case.

The Earl of DERBY was anxious to know the utmost degree to which the leave extended. He understood that a ticket of leave in Western Australia was a very different thing from a ticket of leave in England. A ticket-of-leave man in Western Australia was not lost sight of by the authorities; on the contrary, he was kept under the strictest surveillance and employed upon public works. It would not be far wrong to say, in fact, that an Australian ticket of leave was the second stage of penal discipline.

The Duke of NEWCASTLE said, it was quite true that a ticket of leave in Western Australia was not the same thing as a ticket of leave in England; but the person holding it was not employed on public works. When a convict received a ticket of leave in Western Australia, if he were the servant of any other person in the colony, he could not quit his master's house after ten o'clock at night, while, if he were in a position to have a house of his own, he was not entitled to leave it after the same hour, and he was under the surveillance of the police of the district. Redpath, he believed, resided in his own house, receiving through the Australian Bank from his wife in this country an annual remittance of £200.

ECCLESIASTICAL DILAPIDATIONS BILL. [H. L.]

A Bill for the Amendment of the Law relating to Ecclesiastical Dilapidations—Was *presented* by The Bishop of Lincoln; read 1ª; and to be *printed.* (No. 5.)

House adjourned at half past Six o'clock,
till To-morrow, half past
Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, February 12, 1863.

Minutes.]—New Writ Issued.—For Devizes, *v.* John Neilson Gladstone, esquire, deceased.
Select Committees. — Standing Orders, *nominated;* Committee of Selection, *nominated.*
Report.—Public Petitions (First Report).
Public Bills.—1°—Union Relief Aid Act (1862) Continuance [Bill 17]; Telegraphs [Bill 16].
2°—Illegitimate Children (Ireland) [Bill 13].
Committee.—Drainage of Land (Ireland).

SELECT COMMITTEE ON STANDING ORDERS—FEES ON PRIVATE BILLS.

QUESTION.

On the Motion of Colonel Wilson Patten, the Select Committee on Standing Orders *nominated,* as follow:—Colonel Wilson Patten, Mr. Walpole, Mr. Henley, Mr. Wrightson, Mr. Herbert, Mr. Bramston, Mr. Bonham-Carter, Mr. Lefroy, Mr. Dunlop, Mr. Puller, and Mr. Edward Egerton.

Mr. HODGSON begged to ask the hon. and gallant Member, Whether it was his intention to move the re-appointment of the Committee which sat last Session upon the subject of the fees paid to the House on Private Bills; the House, however, having separated without having come to any conclusion on the subject. The amount of fees paid by the promoters of Private Bills in that House was so enormous that it was perfectly scandalous. It was more than sufficient to pay the whole expenses of the House of Commons' establishment connected with Public as well as Private Bills. The charge for the establishment was about £50,000 a year, and for many years the amount of fees exceeded that sum. In one year, 1845, the fees amounted to £220,000, and two years ago it was £70,000, allowing a considerable surplus to be handed over to the Chancellor of the Exchequer. It appeared extremely unfair that the promoters of

Private Bills should pay for the whole expense of the public establishment. It was quite right that they should pay towards printing Local and Personal Acts, and for the clerks and attendants on the committee-rooms, but the fees ought not to exceed the amount of those legitimate expenses. This was a matter which required immediate attention, so that an alteration should take place for the benefit of the promoters of Bills in the present Session. The Committee which was appointed last year had no authority to refer to the enormous fees allowed to be taken by solicitors and Parliamentary agents with respect to Private Bills. He would only mention one fact, as a proof that that matter also required consideration. When two or three copies of the minutes of evidence were supplied, the cost did not exceed 2*d.* per folio; yet for the mere mechanical lithographing of the shorthand writers' notes solicitors were allowed to charge 8*d.* per folio, and he had known many cases where the expense of the minutes of evidence amounted to £150 a day for several weeks, during which time the Committee sat. If nothing were done in any other quarter, he hoped his hon. and gallant Friend would take some steps to relieve the promoters of Private Bills from such heavy charges.

Colonel WILSON PATTEN said, he had called attention to the subject last Session, and moved the appointment of a Committee to inquire into the subject of the fees paid by the promoters of Private Bills; and that Committee recommended that the subject should in the present Session be again taken into consideration. It was perfectly true that the fees upon Private Bills in that House were very large, but they formed a very small portion of the enormous expenditure to which parties seeking Private Bills were subjected. The general expense of private legislation was now so great that public attention had been roused, and a general impression prevailed that the matter ought to be considered. That being the prevalent opinion, and being not unmindful of the recommendations of the Committee, it was his intention to move the re-appointment of the Committee if the matter were not taken up in another quarter. But he had been in communication with Her Majesty's Government, and he was not without hopes that they would devote their attention to the whole subject with a view to establishing a better system, and abolishing the present enormous expenses. The matter was well worthy the attention of Her Majesty's Government, and should they fail to take it up, he would certainly move the appointment of a Committee to consider the whole subject, which was left imperfect by the Committee of last Session.

Afterwards,

Colonel WILSON PATTEN said, at the early part of the evening he had been asked a Question, whether he intended to move for the re-appointment of the Committee of last Session to inquire into the fees and expenses attendant upon private legislation? The answer he gave was, that his action on that subject would depend upon the course the Government took. He now wished to ask the right hon. Gentleman the President of the Board of Trade, Whether it was his intention to introduce a Bill with a view to the reduction of the expenses connected with private legislation?

Mr. MILNER GIBSON said, that when the hon. Member for Peterborough (Mr. Whalley) moved for leave to bring in a Bill having reference to the expense of Private Bills, he (Mr. Milner Gibson) stated, on the part of the Government, their opinion that an important change, such as that contemplated by the Bill ought not to be agreed to by the House without a preliminary inquiry. In accordance with that view he proposed, having conferred with the Members of the Government, to move for such a Committee as that referred to by the hon. and gallant Gentleman (Colonel Wilson Patten). He hoped the hon. Member for Peterborough (Mr. Whalley) would not proceed with the second reading of his Bill, should the House consent to appoint a Committee to inquire into the subject, but allow it to stand over until that Committee had completed its inquiry. The order of reference would, of course, include the object of the hon. and gallant Gentleman—the resumption of the inquiry of last Session. He would give notice either that night or to-morrow of the Motion for the appointment of the Committee.

COMMITTEE OF SELECTION.

NOMINATION.

Committee of Selection *nominated* as follow:—Mr. Dunlop, Mr. Herbert, Mr. Bonham-Carter, Lord Hotham, Mr. Mowbray, and the Chairman of the Select Committees on Standing Orders.

RAILWAY ACCIDENTS.—QUESTION.

Mr. BENTINCK asked the President of the Board of Trade, Whether, in consequence of the repeated recurrence of railway accidents, it is the intention of Her Majesty's Government to introduce, during the present Session, any measure founded on the Report of the Committee on Railway Accidents, which was laid upon the table of the House in the year 1858?

Mr. MILNER GIBSON said, nothing had occurred during the last year which, in the opinion of the Board of Trade, rendered it expedient to legislate for the management of railways, or to interfere by legislation for the prevention of accidents. The accidents which had occurred during the last year to passenger trains had been somewhat fewer than in the year which preceded it. Taking both years, he found that there was a decrease of 48 per cent in the number of persons killed in consequence of accidents to passenger trains in 1862 as compared with 1861; while there was a diminution of 34 per cent in the number of persons injured. The exact figures were these—the accidents to passenger trains in 1861 were 56, the number of passengers killed in consequence 46, and the number injured 780. It should, however, be borne in mind that the number carried by passenger trains during that period amounted to 173,721,139 persons; so that there was only 1 passenger killed in every 3,760,000, and 1 injured in every 220,000 conveyed. In 1862 the number of accidents were 51, or 9 per cent less than in the previous year, there being 24 passengers killed and 509 injured. The traffic returns not having been made up for 1862, he could not make a comparison between the number of persons killed and injured and the entire number conveyed by train; but the contrast would, he thought, be found to be even more favourable this year to the last, taking into account the new lines which had been opened and the probably increased number of passengers conveyed. Under these circumstances there was, in his opinion, no increased necessity for the interference of Parliament on the subject.

DELHI PRIZE MONEY.—QUESTION.

Colonel SMYTH asked the Secretary of State for War, The cause of the delay in the payment of prize money for the capture of Delhi to the troops engaged in that service?

Sir GEORGE LEWIS said, he had no official control over the distribution of Indian prize money, and perhaps the hon. and gallant Member would put his question to the Secretary of State for India, to whose department the matter exclusively belonged.

COURTS OF LAW COMMISSION (ENGLAND AND IRELAND).—QUESTION.

Mr. LONGFIELD asked Mr. Attorney General, When it is likely that the English and Irish Courts of Law and Chancery Commissioners will make their Report, and what has caused the delay in their doing so?

The ATTORNEY GENERAL said, he would admit that some considerable time had elapsed since the appointment of the Commission without any Report having been made; but this, he thought, might be easily accounted for, and that it involved no imputation on the Commissioners. The causes were the nature and extent of the inquiry, and the character and employments of the Commissioners. These gentlemen were judges and barristers of large practice, some of whom lived in England and some in Ireland, and it was only at one period of the year that meetings could be conveniently arranged. He might say, however, that great progress had been made and a large amount of matter accumulated for the Report. He had not had an opportunity of communicating with the other Commissioners as to the time when the Report would be ready.

ARMY PROMOTION.—QUESTION.

General LINDSAY asked the Secretary of State for War, If it is true, as reported in a Military Journal, that he has recently decided to make no alteration either in the position or in the prospects of the Officers promoted to the rank of Colonel for Distinguished Service in the Field during the Crimean War, and who have been deprived of their relative rotation in the list through the action of the Warrant of 1858.

Sir GEORGE LEWIS said, that one of the last acts of his predecessor at the War Office had been to appoint a Committee to inquire into the subject to which the hon. and gallant Gentleman's question related. On that Committee were Lieutenant General Yorke, Major General Dalzell, Major General Eyre, and Major General Crofton, as well as the hon. and gallant General (General Lindsay) himself. The Committee thus constituted agreed to a Report, which was dated the 25th of July, 1861, and in that Report occurred the following paragraph:—

> "The more we investigate the subject the more we feel convinced that to disturb the present order of the Colonels' list in favour of the officers in question would be unjust to others who are no less deserving of consideration, and would give rise to renewed confusion, while the general effect of such a proceeding upon the officers of the army would be to shake their confidence in the permanency of any existing system, and in the security of their own positions."

The hon. and gallant Officer opposite, it was true, dissented from that paragraph, and made a separate Report; but he himself (Sir George Lewis) after having given the subject the most attentive consideration, had arrived at the conclusion that it would be impossible to disturb the decision at which his predecessors had arrived.

TICKET-OF-LEAVE PRISONERS.

QUESTION.

Mr. BUTLER asked the Secretary of State for the Home Department, When it will be convenient to present to the House the Return ordered by the House on the 3rd of July, 1862, relative to Ticket-of-Leave Prisoners; and whether he will object to lay upon the table a list of the cases in which the conditions of the Ticket of Leave had been dispensed with, and the grounds for dispensing with such conditions; also, whether the convict Redpath is at large under the licence of a Ticket of Leave; if, so, under what circumstances, and whether he can, with the permission of the colonial authorities, return to this country?

Sir GEORGE GREY said, the Return referred to by the hon. Gentleman was either on the table at that moment or would be in the course of the evening. As to the second part of the Question, he presumed the hon. Gentleman referred to the cases of ticket of leave holders a second time convicted, whose tickets had not been revoked. These persons were comprised in two classes—one in which the revocation had not been made because the sentence of imprisonment on the ticket of leave holder for his second conviction would not expire until so near the expiration of his original sentence that it was not thought worth while to remove him from the district or county prison to Milbank or Portland, or some other convict prison from which

he must be again almost immediately released. The second class comprised very few, whose second offences were of so trifling a character that their tickets had not been revoked. With regard to the convict Redpath, his was not a sentence of penal servitude. He was sentenced in 1857 to transportation for life, and was sent to Western Australia in August, 1858. He (Sir George Grey) believed that the attention of the then Home Secretary was not drawn to the fact that Redpath was among those embarked. It recently came to his (Sir George Grey's) knowledge that Redpath had received a ticket of leave under the colonial regulations. That of course he could not have received as yet if he had been under sentence of penal servitude in this country. As Redpath was sentenced to transportation for life, he could not return to this country unless he received a free pardon from the Crown, which it was very unlikely would be the case.

BRAZIL.—QUESTION.

Mr. SEYMOUR FITZGERALD said, he wished to put a question to the hon. Gentleman the Under Secretary for Foreign Affairs with reference to the Brazilian Papers which he had promised should be laid on the table. As the hon. Gentleman was no doubt aware, the communications that had passed between Mr. Christie and the Brazilian Government had been published *in extenso* by the Brazilian Government, had come to this country by the last mail, and were now in the hands of many Members of that House and of people out of doors. He wished to know, When the House might expect that those papers would be formally laid upon the table; and also if the hon. Gentleman was aware that the Brazilian Government had instructed their Envoy in this country to make a demand on Her Majesty's Government for reparation? He was desirous of knowing whether the papers to be presented to Parliament would contain the communications that passed between the Brazilian Minister and Her Majesty's Government up to the latest date?

Mr. LAYARD said, no time would be lost in preparing the papers referred to; but there were so many to be printed within the last few days it was difficult to complete them. The papers would contain the whole of the Correspondence on the subject up to the last moment.

INDIA—MEMORANDUM OF DINKER RAO.—QUESTION.

Mr. LIDDELL asked the Secretary of State for India, Whether there is any objection to call upon the Government of India to furnish him with a copy of a Memorandum of Observations on the administration of India, presented to Lord Canning before his departure by Dinker Rao, Member of Council?

Sir CHARLES WOOD said, he could not undertake to lay on the table a paper of the existence of which he was not aware. He had seen a reference to it, but further than that he knew nothing about it.

ILLEGITIMATE CHILDREN (IRELAND) BILL—[Bill 13.]

SECOND READING.

Order for Second Reading read.

Sir ROBERT PEEL said, that the Bill the second reading of which he was about to move had nothing more for its object than to give an interpretation to a clause enacted by the Commons in the Irish Poor Law Act of last Session. In the House of Lords an Amendment was made which entirely altered the sense of the clause as it was passed by the House of Commons. The case was this:—A Committee which sat on Poor Law Relief in Ireland, in 1861, reported that there was no law of affiliation in that country, and they recommended that the law of Ireland should be made identical with that of England. An Amendment to that effect was proposed in Committee by his noble Friend the Member for Mayo, (Lord John Browne) and it was adopted. It consequently became imperative upon the Government to introduce a Bill upon the subject, and he (Sir Robert Peel) did introduce a Bill for the purpose of enacting that the law should be assimilated to that of England; but when it was presented to the House, it was not satisfactory to the majority of Irish Members, on the ground that it was not suitable to the condition of that country, and he was obliged to withdraw it. During the passing of the Poor Law Bill his noble Friend the Member for Mayo proposed that the Chairmen of Counties—that was to say, the assistant barristers—should be the persons to whom the boards of guardians should refer cases for the purpose of recovering the amounts which had been expended in the relief of the mothers and of their bastard children, and the House on a division carried the Amendment by 111 to 11; consequently the House of Commons clearly sanctioned that arrangement. During the passing of the Bill through the House of Lords, an Amendment was carried, which distinctly changed the proposal of the House of Commons, and it then became necessary to consider the question in a different light. The clause which was passed in the other House was so badly drawn that it was impossible to act uniformly under it. Two Chairmen, those of Mayo and the King's County, considered that justices in petty sessions were entitled to adjudicate upon the subject, whereas the Law Officers of the Crown thought it was the duty of the assistant barristers to do so. That no doubt was the intention of the House of Commons, and therefore to give a clear and proper interpretation to the clause this Bill had been introduced, and he presumed there would be no objection to it.

Mr. HENNESSY said, the right hon. Baronet had truly stated that he could not pass his Bill of last Session owing to the opposition of the Irish Members; but he now wanted to pass that Bill under a new form. This measure was, in fact, the small end of the wedge. It was stated as a fact by Englishmen that the Irish women were more moral than the women of England, owing, as they believed, to the absence of a bastardy law in Ireland, which they considered gave encouragement to illegitimacy in this country. In ninety-nine cases out of a hundred the claims under the Bill of last Session fell to the ground, the magistrates not believing the evidence. Such a scene of perjury was never before witnessed in Ireland; and passing this Bill would increase that perjury and encourage the immorality to which the Bill was applicable, as such immorality had been encouraged in England by similar legislation. He would be happy to support any hon. Member who would move the rejection of the Bill.

Colonel DUNNE said, he believed the Bill to be one of great public utility, and that it ought to be read a second time; but he hoped the right hon. Gentleman would meet those who objected to particular clauses in a spirit of fairness in Committee.

Mr. GEORGE said, the Members who sat upon the Select Committee had reason to be obliged to the right hon. Gentleman for the steps which he had taken to carry out their recommendations. Proceedings before the Chairmen of counties, were, however, attended with considerable expense and delay, and he thought it desirable that the requisite powers should be given to magistrates enabling them to adjudicate.

Motion *agreed to.*

Bill read 2°, and *committed* for *Monday* next.

UNION RELIEF AID ACT (1862) CONTINUANCE BILL.

LEAVE. FIRST READING.

MR. C. P. VILLIERS, in moving for leave to bring in a Bill to extend for a further period the provisions of the Union Relief Aid Act of the last Session, said, the measure which he desired to introduce had for its object to continue the operation of the Act that was passed last Session for the purpose of better enabling Boards of Guardians in certain Unions to meet the very serious charge for the relief of the poor which was occasioned by the war in America, and which, by precluding us from the use of the raw material of cotton, had rendered nearly half a million of our fellow-subjects destitute. The Act to which he referred was, as the House would probably remember, introduced under some apprehension that under the ordinary operation of the Poor Law the means would be inadequate for relieving the distress, which was expected to increase. The resource in all cases of distress in this country was the property of the district where the poor were settled, or from which they could not be removed—a resource which had generally been available for its purpose; but in this instance fears for its adequacy had been felt. It was not alleged in this case that the great manufacturing counties in which this distress prevailed were unable or unwilling to discharge their liability to maintain their poor. That was not alleged on the part of those who represented the interests of Lancashire; on the contrary, if he rightly remembered, they emphatically declared that it was the desire of proprietors and occupiers of property in Lancashire to maintain the poor that might be cast upon the rates upon this occasion; and he believed also that it was the opinion throughout the House that it was desirable not to depart from the ancient policy of imposing local liability to meet local wants, and that the administration of relief should be left in local hands. There were, he believed, some opinions entertained by individuals that the poor of Lancashire should be charged on the Consolidated Fund; but that proposition had never received any form or shape capable of being submitted to the House, and he did not think it had ever been put forward in a manner to command attention. What he understood the demand to have been when this matter was brought before the House, was that there should be some amendment or modification of the Poor Law as it existed, to render the guardians sure of possessing the means of relieving that vast amount of distress that was unfortunately then increasing, and, if possible, to mitigate in some way the pressure upon those who were liable, by law, for the payment of rates. The House would remember that this subject received considerable attention last Session, and that much observation was made upon the scale of rating for the poor in Lancashire. It was much observed that the rating was extremely low, and that in comparison with the rating in other parts of the country it seemed to be far below what was known to exist almost as the normal state of rating, and which would not probably be exceeded when the distress was greatest in Lancashire. It was, indeed, admitted as a fact that the rating in Lancashire was very low, and the property was very large, and that there were many places in this country where for many years past the rates had been much higher. But it was said then, and with great truth, that it was hardly then a fair criterion of the condition of the people in these districts to take any rate in the pound which might have been levied in past times for the support of their poor. Those districts were peculiar; they were unlike many other manufacturing districts where other kinds of business were conducted, and where there was a greater variety of property; unlike great and populous towns that are not dependent on manufactures, but have large numbers of poor to maintain. The peculiarity of what were called the cotton districts, was that they had sprung up and grown up with the cotton trade itself; and the state of those districts, altogether, whether as regarded the condition of the people or the value of the property, varied almost directly with the state of the cotton trade. It would be quite possible at one time to observe those districts prosperous, displaying wealth and capacity to bear burdens beyond almost any others in the country, and very shortly afterwards to see the same districts suffering, almost prostrate, and incapable beyond other places to meet the charges which ordinarily attached to property. The result was, that people might see a very large estimate of the rateable property in those districts, and imagine that there was vast wealth there in proportion to the population; but whenever the trade became very much depressed and stagnant, a large proportion of this property became unavailable for rating and in some cases utterly valueless; and the fear was that by rigorously enforcing the law in collecting the rate many of the former ratepayers there might be forced into the ranks of the destitute, and the distress thereby be aggravated and increased. Any one, also, acquainted with these districts was aware that they had this peculiarity, that the proportion of the operative population to any other class was much greater there than in other places. In passing through the districts one could see almost miles of dwelling-houses which, from their appearance, must be occupied by operatives, with hardly any other buildings visible, but those of the mills where they worked; while the large and straggling suburbs which surrounded the older towns in Lancashire presented the same aspect. He believed that in those places there was hardly any intermediate class between the masters and the workmen, unless, indeed, they were the shop-keepers, who were the tradesmen of the operatives. It consequently was a necessary result, that when the trade was depressed, there was an enormous number of people requiring relief, and at the time when the burden of that relief was the heaviest, those who had to bear it were then the least competent to do so. Therefore, it seemed hardly fair to judge of the capacity of those districts to support a very heavy charge of burden for the poor, simply because in good times a large estimate of the property had been made, or to assume in consequence that the property would be equally available when a great burden fell upon it. Consequently, it had appeared to him a reasonable demand made upon this House, supported as it was by those who represented the interests of Lancashire, that there should be some means taken under the peculiar circumstances to ensure the guardians having the means necessary for relief, and some measure adopted by which the ratepayers might for the time be spared the whole weight of the burden legally cast upon them. He had already mentioned the characteristics of the districts—depressed one day, and in the highest state of prosperity the next; and to prevent the unnecessary sacrifice of property, and the disorganization of capital and labour, it was desirable to devise a measure by which the temporary pressure might be alleviated. He was invited, therefore, to propose such an amendment of the Poor Law Act as would meet the exigencies of the case. On this occasion two suggestions were made, which seemed well adapted to meet what was required for the purpose. One was to give practical effect to the old principle and policy of the Poor Law of this country—namely, that when any townships or parishes became burdened in excess for the support of their poor, they were entitled to call upon the neighbouring divisions of the county for relief. This provision was quite as much part of the Poor Law of England as that which cast on any particular district the charge for what was called its own poor. This was a provision of the old law that had been held sacred for nearly three centuries, and at the time of the great revision of the Poor Law system, in 1833, that section of the Act of Elizabeth was carefully retained. Therefore there was no novelty in that proposition, so far as the principle was concerned, and it seemed, at the same time, to meet the circumstances of those districts. The only difficulty arose out of the new division of the country into unions for the relief of the poor, and legislation became necessary in consequence, to give effect to the original provision. A clause for this purpose, therefore, was provided, which in consistency with the ancient principle, has been rendered easy in operation, and appears to provide an appropriate remedy for the evil contemplated. One leading feature, therefore, of this Bill was to give power to any union in those districts which felt burdened in excess to call on other unions to contribute in proportion to their property in aid of their distress. There was another provision in this Bill, which appeared more simple, and which seemed indeed to be more popular—namely, that unions, when they felt the charge on property to be excessive, and when this should have reached a certain point, should have the power, with the sanction of the Poor Law Board, to borrow whatever sum might be needed to meet the excess. The Bill only contained those two provisions to meet the requirements of the occasion; and though it seemed difficult at first to determine on the amendment of the Poor Law that would meet the object in view, he believed that it would have been almost impossible to devise a measure which more aptly suited the purpose and the circumstances of the people than the measure he had proposed. No one could say that on account of the borrowing power there was danger of the guardians being lavish in their expenditure, because their object would, of course, be never to reach the limit after which they would be entitled to borrow; and, as guardians were notoriously averse to borrowing when it was certain they must repay the money, that House fixed a limited period within which the borrowed money was to be repaid by annual instalments. Thus the guardians had the means of raising the money they required, and the ratepayers, relieved for a time, had a guarantee that the guardians would act with prudence. Looking at the great wealth which did exist in Lancashire and Cheshire, and feeling that that wealth had been enormously increased by the contiguity of the property to the districts engaged in the cotton trade, it was felt that there was an equity in calling on property which, though not exactly situated in the cotton districts, had yet been enhanced in value by its contiguity to those places, to contribute towards the relief of the distress. He believed that after the Act passed no proprietor regretted having given it his support, and the measure seemed to find favour in the country. He had been astonished to learn that one of the Members for Southwark (Mr. Locke) had stated the other night that the Act had been applied in only two instances, and, that in fact, it might be regarded as inoperative. His hon. and learned Friend had made a mistake in that respect. Not less than twelve most distressed unions were in a condition to avail themselves of the Act. Seven had done so already; five of them had borrowed money, and four had borrowed money and had called upon the county beside. He had learned that there had been no difficulty whatever in applying the Act. The forms were very simple; the accounts were prepared and were examined by the Inspector sent from the Poor Law Board to see that they were correctly made out; and on the order being given by the Poor Law Board the money was raised. The security was, doubtless, thought good, because all the money raised by these unions had been obtained at the rate of 4½ per cent. He understood that no objection on principle had been made by the unions called on to contribute in aid. Several had already paid their *quota;* and where objections had been expressed those objections were not against the principle of the rate in aid, but had reference merely to some technical point, such as that Chester was a county of itself, and that the distressed unions were in Lancashire and not in Cheshire. No strong objections had yet reached him to the principle of the measure, and he believed he might add that nothing had yet happened to alarm the counties with regard to contributions, either made already, or that might be required by the continuance of the Bill. The contribution in Derbyshire was not more than one farthing, in Cheshire not more than one penny, and in Lancashire only three farthings. He had taken some pains to ascertain how this Act was viewed by boards of guardians in the distressed districts, and he found that it was generally considered to be a very valuable resource to which they might recur in case of need; that nearly all considered it must, or ought to be continued, and that there was no question with regard to the policy of borrowing, although some objections were urged by some individuals against claiming relief from the county at all. Those who thought that the Act had not been operative to the extent which might have been expected might be reminded of the obvious reason for that, which was the very large contributions which had been made, he might say, from all parts of Her Majesty's dominions. Those contributions were not anticipated when the Bill was passed. They had been marvellous—they had been most munificent—and he believed he was in a position to state, that notwithstanding the enormous number who had been recipients of relief during the last six months, amounting to 500,000, more than half had been relieved by voluntary contributions. They might judge from that of what importance the Bill would have been, but for those contributions. Those contributions having been so large, and been flowing in constantly hitherto, must, he was afraid, be about to diminish; and if so, that made it more necessary that a Bill of this kind should continue, as its operation was now perhaps becoming more important than it had yet been before. Those contributions, he believed, had been very much stimulated by that which might have been expected, but of which they could hardly have been sure previously; namely, the admirable patience and forbearance and, he might almost say, the patriotism of the poor people themselves in the manner in which they had borne their sufferings. And he believed that he might add that many subscriptions had been also contributed from the donors witnessing the intelligence, economy, and judgment displayed by those persons on the spot who had so nobly and generously devoted their time to the administration of the vast funds placed at their disposal. He would just show to the House what amounts had been borrowed hitherto under the Act in order that they might judge of the importance of the Bill and that they might have some idea of what would be required in future. For expenditure which occurred before Michaelmas and after Midsummer, Preston borrowed £3,890, and Blackburn £3,517, making a total of £7,407. For the expenditure during the Christmas quarter Ashton borrowed £8,037; Blackburn, £10,000; Glossop, £1,200; Haslingden, £3,063; Preston, £7,316; Rochdale, £5,887; Todmorden, £1,186; total, £36,689. Added to that there was charged to the counties, for Ashton, £8,097; Glossop, £1,718; Haslingden, £2,193; and Preston, £7,571, in all, £19,579, making a total borrowed and charged on counties of £63,675. This, indeed, added to the large contributions, would give them a sad idea of the extent of the necessities of these districts. He was afraid, that although trade was somewhat reviving, the distress was still considerable, and that it would be a long time before they could hope that there would not be what at any other time would be considered an enormous number of persons living on charity. For instance, since the Bill passed there were 160,000 more persons receiving relief than there were at that time, and he believed the charge weekly made exceeded by £20,000 a week what was then paid for their relief. He had besides the answers from twelve of the principal unions, all expressing a wish that the Act should be renewed. Preston was the most distressed union, and immediately a question was raised as to the value of the Act, Mr. Ascroft, the Chairman of the Preston Board of Guardians, wrote to Mr. Farnall to state that in his opinion the provisions were most valuable, and that in Preston they would be able to do with a 2*s.* 6*d.* rate up to March, whereas, but for the Act, they would have required at least a rate of 5*s.* One union had presented a petition against the Bill, but in that union the number of poor was so small that they would not benefit by it, and might have to contribute to others, and with that exception he was not aware that any union had expressed a desire that the Bill should not be renewed. He had put forward this Bill, as he had stated, merely as a mode of meeting an evil which existed, or at least to prevent the evil of undue pressure of rates extending, of which there was great apprehension. He did not propose the Bill last year as striking at all at the cause of the distress. He was perfectly aware that the interruption of trade with the United States was the real cause, which was a matter far too deep for a Bill of this kind to reach. It was not his province at this time to express any opinion upon the prospect of a termination of the terrible depression of trade in those counties. It might be a subject of discussion as they advanced further in the Session, but he had only to state to-night what he conceived to be the reasons for renewing the Bill, and which he trusted the House would deem sufficient. He could only say that the Government were perfectly alive to the evils which at present existed. They were perfectly well aware of the enormous danger of a vast mass of the population remaining unemployed, and they knew what distressing sacrifices of property were daily made owing to this state of things. Those matters might be deserving of the special consideration of the House. The Government did not underrate the distress which existed or the evils to be overcome. He proposed this Bill for the purpose which he had stated. He had not the least reason for supposing that the powers conferred on the guardians would be in any way abused. He had the authority of Mr. Farnall, who was perhaps better acquainted with the opinions and views of the cotton district than any other person, for saying that there was the most anxious solicitude on the part of the guardians and those who were engaged in distributing voluntary relief to find independent employment, and to prevent anything which might tend to demoralize the people. He had not therefore the smallest hesitation in asking the House to extend the powers of the present Act for the term of one twelvemonth. There was not the smallest indication that there would be an end of the distress in a year. If there was, the Bill would be inoperative. If there was not, there would be no necessity to trouble the House with a reconsideration of the renewal of the measure in the present Session. He therefore proposed that the Act of last Session should be continued until Lady-day, 1864. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

COLONEL WILSON PATTEN said, he had listened carefully to the statement of the right hon. Gentleman, and he thought there was no doubt a case had been made out for a renewal of this Bill—whether for a year or any other period might be hereafter discussed. But he thought the right hon. Gentleman laboured under some misapprehension when he said he believed the Act as it now stood gave entire satisfaction to all the unions which he had mentioned. Representations of a different nature had been made to him, and he had been requested by outlying unions to ask for one or two alterations which they deemed necessary. He would not enter upon those matters until the proper stage, but he should then call the attention of the right hon. Gentleman to them, and he hoped he should have an opportunity of discussing some of them in private before that time. The chief pleasure which he had derived from the speech of the right hon. Gentleman was that it afforded ample justification for the course which was taken last Session by several Gentlemen connected with the manufacturing districts when they urged the Government to take steps to meet the awful calamity which they believed was about to fall on this country. If, in the present state of circumstances, which, in some respects, had altered rather for the better, the Government thought fit to bring in the self-same Bill and to afford the self-same relief, it was a conclusive proof that those Members were right in suggesting the measure at a former period when things wore a more gloomy aspect, and when they could not have anticipated the enormous amounts which had been received from the munificence of this and other countries. At the time the measure was brought forward in the last Session the Members representing the cotton districts were taken to task by Members for southern constituencies because they were applying for these powers when they were so much more favourably situated as to rates than other parts of the kingdom. He recollected that an hon. Friend of his in that House last year asked him why the locality in which he resided should be called upon to come to the aid of the manufacturing districts, observing that the poor rate in that locality was as high as 4*s*. 6*d*. in the pound, while in several parishes in Lancashire it was only 1*s*. 6*d*. But the answer to that way of putting the question was that a normal rate of 4*s*. 6*d*., subject to which bargains were made, and which in reality fell on the landlord, was not to be compared with a rate smaller in amount, but suddenly increased to meet an emergency—the increase being paid not by the owner, but by the occupier. A man, for instance, went into Lancashire and took a house, the poor rate being only 1*s*. 6*d*. in the pound, and for him it was a very serious thing indeed when he unexpectedly found himself called upon to pay 11*s*. 6*d*. Such was the difference between the circumstances of the manufacturing and the other districts throughout the country. Now, if the House would allow, he would mention a few instances of the operation of the distress in Lancashire in the augmentation of the rates. Take for instance the town of Todmorden, and there the rate which was formerly 11*d*. in the pound, was raised on the 22nd of November to 6*s*. 4¾*d*. seven times more of a rate than the occupier had to pay previously. In Stockport the ratepayers had been called upon to pay nine times, in Rochdale nine, in Preston seven and a half, in Oldham ten, in Manchester six, in Glossop nineteen, in Bury six, in Burnley six, and in Ashton-under-Lyne nineteen and a half times the original rate. It should not be forgotten that a very large portion of the rate-paying class were at the very moment that they were called upon to pay those rates deprived of the very means of paying them. The consequence was that a great number of people were brought to utter ruin. In Oldham alone—the hon. Member for that borough would correct him if wrong—the effect of the increased rates was to change the condition of 2,000 of its inhabitants from ratepayers to that of recipients of aid from that source. [An hon. MEMBER: "4,000."] That, however, was not the whole history of the pressure which had been put upon the small ratepayers and shopkeepers, because, in many cases, time for the payment of the rate was granted, while some were excused from paying it on the ground of inability. He wished he could see a Return setting forth the number of ratepayers in Lancashire who during the last six months had been excused payment; the number who had become recipients of relief; and those who from inability to pay had been excused or allowed time to pay them. Such a Return, he believed, would show a very disastrous state of affairs. There was another very large class of ratepayers who did not come under any of those three heads. The object contemplated in the present measure was not so much to relieve the operative classes as a portion of the community who had not hitherto been reached by the relief committees. Hon. Members who did not reside on the spot could have but little idea of the calamitous condition of the small tradesmen in the manufacturing districts. Many of these were perfectly destitute, dependent, as they had been, upon the wages paid to the operatives. Some notion, however, might be formed of the distress to which these persons were reduced, when they were told that the diminution of wages up to the present time, owing to the distress, might be calculated at no less than £8,000,000 sterling per annum. If the operatives had been in receipt of this sum, the greater part of it would have been spent among the small shopkeepers, who were now, he undertook to say, among the most distressed persons in the community, not excepting even another very unfortunate class—the small cottage-holders, and those who had invested their savings in other branches of industry—whom the committees felt it almost impossible to relieve, owing to the many abuses which would immediately spring up in dealing with the monies intrusted to them. His right hon. Friend had, however, very justly observed, "What would have been the case but for the munificence displayed by every class of the community at this critical juncture?" He had made a calculation as to the amount contributed for the relief of the operatives in the distressed districts, and had estimated that it could not be less than £1,400,000. He believed, indeed, that that sum was within the mark. The sum spent in the relief of distress by the local committees was £658,000, and the amount disbursed by the Poor Law Guardians during the last six months was, he believed, £250,000. Here was a total of £908,000 spent for the relief of the operative classes since the passing of the Relief Act last Session. Let any person try to imagine what must have been the difference in the condition of those classes if these large sums had not been contributed by a benevolent public. Even with all the aid afforded by the Act, the state of Lancashire would have been frightful. Now, the House had a right, he thought, when it was asked to give its assent to the renewal of such a measure, what were the present and future prospects of the manufacturing districts. The committee of which he had the honour to be a member had taken every possible means to ascertain the opinions of the most experienced manufacturers as to the present and probable future state of employment in their several localities. He was sorry to say that at the last meeting of the Central Committee the reports they received from those gentlemen induced the Committee to believe that they had not yet seen by any means the extent of the destitution with which they would have to contend. Other hon. Members would doubtless go into this part of the case more fully than he had; but he would state, as the result of consultation with the principal manufacturers, that the most sanguine of them looked for an average of employment during the next twelve months of only three days per week, whilst the less sanguine—who were by far the more numerous—did not anticipate that there would be an average of more than two days employment per week, taking the whole manufacturing population together. Under those circumstances the Relief Committee had felt themselves bound to deal most carefully with the funds—large though they were—intrusted to their care. Sometimes they had been charged with being too niggardly, and at other times with being too liberal in their distribution of the money. These charges were certainly inconsistent, and he ventured to assert that they were both totally unfounded; and he felt confident—though, doubtless, abuses would now and then occur—that, upon the whole, they had been promptly checked, and that the funds had been administered with discretion. He had to thank his right hon. Friend for the assistance rendered by the Board of which he was at the head, by placing at their disposal Mr. Farnall, who was a gentleman of great experience, zeal, and energy, and who had devoted his time and attention to the matter, and had given the most valuable aid and information to the Committee — never, indeed, appearing to have a moment which he was not devoting in some way or other to their and the public service. But for the assistance rendered by that gentleman, the Committee would never have been able to perform their duties to their own satisfaction. The Board had also sent down two other officers—Mr. Adamson and Mr. Jones—and with their aid the Committee had been enabled, he believed, to take proper precautions against abuses of the fund. The question began to be asked whether, under these circumstances, it was necessary that the public should still be called upon to continue their benevolent contributions for the relief of the distressed operatives in Lancashire. He was bound to say, from all the information which he had received, that it was possible they would have still to rely upon that benevolence. Every month the Committee published and disseminated as widely as possible a statement of affairs, which he would invite all who were interested to read, and from which they could judge for themselves as to the propriety of continuing their benevolent exertions. Reverting again to the abuses likely to spring out of the management and distribution of so large a charitable fund, he observed that when half a million of persons were out of work, and likely to continue so for a long period, he did not think that any one should feel surprised at some great public detriment accruing from it, however wisely the public charity might be disbursed. At the present moment they were devoting their attention to enforcing a system of labour through the agency of the local committees, and the Vice Chairman of the Central Committee (Sir James Kay Shuttleworth) was at that moment engaged in devising a mode by which to give greater employment to the people throughout the districts. He (Colonel Wilson Patten) sincerely hoped he would be successful; but after everything was done that could be done there must still of necessity be a certain kind of demoralization among a portion of the inhabitants of the distressed districts. This must be accepted as in some degree unavoidable. The calamity, however, was not an unmixed evil. When the season of trial was over, they would have to look back upon many encouraging circumstances to which it had given rise. There was not a class of the people in Lancashire who were not perfectly aware who were the donors of the money which was administered to them. The Committee took care that the name of every contributor should be sent through the whole of the country. There was one class of donors whom he desired especially on that occasion to thank. He referred to the residents in foreign countries and in the colonies. The House would be surprised to hear the names of all the places from which these contributions had come. They had flowed in from every quarter of the globe. He did not refer to the money which had been sent to the Committee presided over by the Lord Mayor, because he had not a copy of that subscription list, but only to that which had come direct to the Central Committee. Besides a vast array of places in Great Britain and Ireland, handsome contributions had been sent from the United States, Madeira, Russia, Brazil, Gibraltar, Spain, Holland, Italy, Egypt, Turkey, Germany, Cape of Good Hope, India, China, New Brunswick, Nova Scotia, and Australia. No less than £46,630 had been sent to the Committee from Australia—a contribution which he could not help characterizing as one of the most liberal made in any country under such circumstances. He did not like to single out particular towns for special mention, as it might appear invidious to do so. He could only say that there were places in the colonies as to the locality of which his geography was more than once at a loss, but who sent donations sometimes amounting to thousands of pounds. He had never witnessed such an outburst of sympathy as had been displayed from every part of the world towards the distressed operatives in England. He could only repeat that this charitable feeling would not be thrown away upon the people of Lancashire. There was a thorough conviction among all parties and classes in the county that they were deeply indebted to the donors. They were sensible of the interest taken in their welfare by all classes of the community. The result would be a lasting feeling of gratitude on the part of the Lancashire people to every class of society, not only in this country, but in every part of the world.

THE LORD MAYOR (Mr. Alderman ROSE) said, he owed an apology to the House for rising on this occasion, being so very young a Member; but he felt it his duty to caution the House with regard to some of the remarks of the hon. and gallant Gentleman who had just sat down. It was true that most magnificent subscriptions had been received from all parts of the world; and it was true that these subscriptions had been sent in a way that redounded to the credit, not only of the country, but of all connected with them. But he warned the House that the time was coming when these voluntary subscriptions could no longer be depended upon; and that the machinery, which it was proposed to be continued for another twelve months, would have to be brought forcibly into operation. Nor was it only that the contributions would cease, but the manner in which this great object had monopolized the charity of the nation had proved very prejudicial to other philanthropic enterprises, and the subscriptions were beginning to revert to the original channels from which they had been withdrawn by the exigency of this great crisis. From his experience, having had the collection and distribution of nearly half a million of money in consequence of the office he had the honour to hold, he feared the time was rapidly approaching when this source of income might fail. It was important, therefore, that the House should be prepared with machinery by which any possible want which might arise might be supplied by a more sure source of income than voluntary charity.

MR. HIBBERT thanked the right hon. Gentleman the President of the Poor Law Board for the statement he had made, and for having afforded the House an opportunity of discussing this important subject. Too strong words of thankfulness could not be used for the great stream of charity which had flowed into Lancashire during the past twelve months; nor ought thanks to be omitted to the noble Earl (the Earl of Derby) and the hon. and gallant Colonel opposite (Colonel Wilson Patten) for the great labour they had given to the administration of the relief fund. He would give the House some particulars as to the condition of Oldham. The population of the Oldham Union was 111,267. Out of this population 39,975 were operatives. At the end of last month (January 31) only 8,028 persons were working full, and 20,726 were working short time, leaving more than 10,000 entirely unemployed. The number receiving relief from the guardians at the same date was 10,589, and from the relief committees 13,245 making altogether 23,834 persons. This was out of a population of 111,267, showing that one out of every five of the population was in a state of destitution. A great deal had been said in other places with regard to the amount of the poor rates in Lancashire; but as far as the Borough of Oldham was concerned, he would state a few facts which would show how severely those rates were pressing. One rate of 2*s.* in the pound was made in March last, and 4,120 persons were obliged to be excused by the magistrates from paying it on account of their destitution. In October a second rate was made of 2*s.* in the pound, of which £5,885 could not be collected on account of the distress of the people. In December last another rate was made of 4*s.* in the pound, of which a large amount of arrears were now unpaid. Thus in a period of nine months rates had been made and levied to the amount of 8*s.* in the pound. It was, however, very difficult to judge from the Poor Law Returns of the pressure which the rates inflicted upon the ratepayers. For example, the Returns laid on the table by the right hon. Gentleman (Mr. Villiers) showed that during the quarter ending at Christmas there had been expended in the relief of the poor in Oldham 1*s.* 3¾*d.* in the pound. This would give 5*s.* in the pound for the year. But, instead of having paid only 5*s.* in the pound for the year, the ratepayers had paid 8*s.* in the pound for only three-quarters of the year. The Return, therefore, did not afford a full view of the case as it really stood. The number of assessments in Oldham showed that there was a great body of very small ratepayers in the borough. In October, 1862, there were 16,190 assessments to the poor rate. Of this number 6,900 were between £10 and £6; and there were 6,190 assessments under £6; making, out of the whole number of assessments, rather more than 13,000 persons assessed under the value of £10 per annum. These facts showed how very great must have been the pressure of the heavy rates of the past nine months. The unemployed ratepayers had either to be excused or the rates to be left in arrear, and they could only be collected from those who were able to pay. The whole rate for the union of Oldham in the year 1861 was little more than 1*s.* in the pound. This was another proof how severe the pressure of the 8*s.* rate for nine months must have been. With regard to the Act of last Session, he would observe that there was a strong feeling among the boards of guardians that the time for the repayment of loans was not sufficiently extended. There was also a strong feeling in Lancashire, that although there was no wish to dip their hands into the national purse, the Public Loan Commissioners should be empowered to lend money to boards of guardians. In conclusion, he would only say that the rates were pressing most severely, not only upon the poorer ratepayers, but on the owners of cottages and on small millowners, who had borrowed capital to carry on their business; and that if the distress continued, the House would see class after class added to the number of destitute persons.

SIR BALDWIN LEIGHTON said, he was afraid the right hon. Gentleman had forgotten some of the principles which had always been maintained by his predecessors in office. One principle of the Poor Law was, that land, or real property, was answerable for the poor rates. Why, then, if the land was answerable for the support of the poor, had not the right hon. Gentleman made the landlords responsible, whose lands had derived so much benefit from the mills? There could be no doubt that Lancashire had derived the greatest benefit from the cotton manufacture. A large portion of Cheshire was entirely agricultural; and it was not fair that the agricultural landlords or tenants of South Cheshire should be called upon to pay rates for the landlords and millowners of North Cheshire. The farmer in South Cheshire had taken his land thinking he would have to maintain his own poor only; and why should he be called upon to pay for the poor of North Cheshire? If a landlord, instead of getting £1, or £2, or £3 per acre for his land, got £1, or £2, or £3 per yard, surely there was no harm in asking him, when a tenant was in distress, to pay a part of the rates of his tenant. He would suggest that after the rates reached a certain amount—say *5s.* in the pound—the landlord should be called upon to contribute equally with the tenant. The hon. Gentleman the Member for Oldham (Mr. Hibbert) had thrown out a hint that the credit of the country might be given to enable Lancashire to effect loans. He (Sir Baldwin Leighton) hoped the credit of Lancashire was not so low that it was necessary to have the credit of the country added to it. There was no union, he believed, which could not raise money at four per cent. He had himself borrowed money for several unions at four per cent, and only once had he paid more, and that was when he borrowed from the Exchequer Loan Commissioners, who charged five per cent. He would, however, ask the right hon. Gentleman whether he was prepared to carry out throughout England the principles he was now applying to Lancashire and Cheshire? In London there were parishes which paid regularly no less than *5s.* in the pound for poor rates. If Lancashire was to be relieved from the payment of a *5s.* rate, why should not the parishes of London? In London there were no less than nineteen parishes where the poor rates were more than *3s.* in the pound. In Buckinghamshire there were forty-four, and in Cornwall nine such parishes, but in Cheshire there were only three parishes in which the rates were more than *3s.* in the pound. Were they prepared to empower the heavily burdened parishes in the east of London to put their hands into the pockets of the ratepayers and say, "You must support us"? He repeated the question—Was the right hon Gentleman prepared to carry out the principle of the Bill to all England? Because if he were not, the principle he had laid down was not right, and it could not be defended. The Bill, therefore, ought not to be passed without due consideration. There was also another consideration to be borne in mind, and that was the principle upon which relief should be given to the poor. He was not about to question the administration of the Poor Law in Lancashire generally, but in going through Lancashire he had been very much struck by the absence of employment offered by the guardians to the persons who were receiving relief. This was a great fault. The poor were much to be pitied; but the plan which was adopted was detrimental to them, for they were receiving for doing nothing as much or more as the labourers in his (Sir Baldwin Leighton's) part of the country who worked six days in the week. In Lancashire a man with a family of three children received *12s.* per week, but in his part of the country the able-bodied labourer would receive only *10s.* per week. He could not but think that if a little more pressure was put upon the manufacturers they would find some occupation for the operatives who were now out of employment. If emigration could not be resorted to, migration might. It was doubtless for the benefit of the millowners and shopkeepers that the people should remain in the district, but it was of great detriment to the people themselves; and gentlemen serving on relief committees, as well as the right hon. Gentleman at the head of the Poor Law Board, should use every means in their power to prevent so serious an injury. Persons now in idleness and in the enjoyment of an allowance equal to what was considered fair wages in the agricultural districts, would be very apt to remember the circumstance in after times, when that reminiscence might tend materially to swell the poor rates.

LORD STANLEY said, he rose only to offer a single suggestion—that it might be better to limit the operation of the Bill to six instead of twelve months, as proposed by the right hon. Gentleman. A period of six months would carry them over the Session, and afford the House an opportunity of reconsidering the subject in June or July, when they would be able to make such provision for the recess as might then be required, having had the advantage of that additional period of observation. It might be that the aspect of affairs might then be very different from what it was at present, and some modification of the law might be seen to be necessary. By the Bill as it stood the House was asked to legislate for the relief of distress in Lancashire up to February next. Neither the right hon. Gentleman nor any man in the House or out of it would undertake to say what might be the state of Lancashire distress in February next. It was all guess work. Every one was in the dark. No two men agreed in their opinions as to what was likely to happen, and those who understood the subject best would be readiest to admit that their opinions were mere conjectures. Was it not wise, then, to commit themselves as little as possible; to refrain from tying their hands further than was absolutely necessary? No doubt, the course he recommended would entail additional trouble upon Parliament; but in dealing with questions of this kind he ventured to think that mere considerations of trouble would not have any weight. He did not say that they would be in a position to legislate with certainty in June or July, but it was quite possible by that time that things might so far have changed that they might look at the question in a different point of view from that in which they saw it now. Various alterations had been and might be proposed in the present Bill, such as giving borrowing powers to townships as well as to Unions, extending the term allowed for repayment; and he had heard a suggestion, which he did not adopt, that Government might be empowered to lend under certain conditions. He did not say that any of these propositions ought to be entertained, but they ought all to be maturely discussed, and he felt sure that Parliament would be much better prepared to deal with the question towards the close of the Session than it was at present. What he suggested was, therefore, simply a continuance Bill for six months, and then another discussion upon the subject.

MR. ALDERMAN SIDNEY thought the suggestion of the noble Lord was a wise one. This was a matter which required the grave consideration of the Legislature, and not alone as regarded Lancashire, though that demanded a more enlarged view of the general law of the question than was proposed by this measure. If the Government allowed the present Session to pass away without attempting a great legislation upon the inequitable state of the Poor Law, he thought there would be a well-founded cause of dissatisfaction, more especially as in the present state of public business there was little of deeper interest to engage the attention of the House. The House was treating this question as if the condition of Lancashire was exceptional to the general state of the country. Hon. Members had favoured the House last Session with their views on the inequalities of the poor rate in the southern districts, and they had the testimony of the hon. Member for Oldham that at the present moment the rates amounted to upwards of 8*s*. The assessable property in Lancashire was in excess of £8,000,000. Now, an equalized rate of 3*s*. 7½*d*. would not only have raised the £1,000,000 in excess occasioned by the distress, but have provided for the £400,000, which was the average amount of the poor rates for the county of Lancashire. But he doubted very seriously whether the distress in Lancashire, great as it undoubtedly was, exceeded that in the metropolitan district of Bethnal-green, where he was told the condition of the poorer classes was frightful to contemplate. Yet they heard comparatively little of destitution in that quarter; it was lost sight of in the immensity of the Lancashire claims. He was likewise unable to say whether the depression in the manufacturing districts exceeded in severity that at Coventry. But he took it for granted the Legislature could not view such instances of the breaking-down of the Poor Law system in so important a county as Lancashire without taking some steps to remedy the general defect in the law. Were the Government prepared to remedy these defects over the country at large? The present measure was a wise one viewed as a temporary expediency, and he was in favour of another temporary Bill; but should feel greatly dissatisfied if he learned that the Government had no intention of taking further action for improving the general system of administration, and especially in the important matter of the present inequality of the Poor Law rating.

Mr. POTTER hoped the right hon. Gentleman would limit this Bill to six months, and in the mean time provide a Bill of a more comprehensive character. He feared that there was no prospect for some time to come of there being a less pressure on the poor rates in Lancashire than existed at present. The loss of wages in Lancashire was certainly not less than £8,000,000 annually; on a moderate calculation one-third of that amount would have to be raised by means of the poor rate, and he was quite satisfied that unless some larger measure were brought forward, the poor rate would collapse. The subscriptions in hand amounted to between £700,000 and £800,000, and they ought not to be deterred from legislating further on the subject by any idea that such a sum would be sufficient to meet the evil. He thought they would require another million from the poor rates. He might state a few facts with regard to the Union of Glossop, with which he was connected, which was considered to be one of the worst in the country. In 1855 the entire rate for the Union of Glossop was only £1,000. He found that latterly they had been paying for the relief of the poor at the rate of £1,000 per week. The assessed rentals in this district amounted to £65,000, out of which £18,700 was for mills and works; £6,200 for houses and shops; cottage property, £22,000; and the remainder for land. The cottages (by far the largest item) belonged almost entirely to the manufacturing population, and were the result of many years' careful savings. There were 4,163 cottages, owned by 782 people. All these cottages were mortgaged and were at present almost worthless to their owners; he did not suppose, that deducting these mortgages, there would be £2,000 left. Look at the pressure laying on a district like that. It would be impossible to raise a 2*s.* or 3*s.* rate without a serious collapse. In the whole district there were only sixty-eight buildings rated at above £50 a year. He hoped the right hon. Gentleman would bring in some more comprehensive measure. He did not object to the extension of the present Bill. It had not been tested to any extent at present because the large subscriptions had relieved the poor rates; but during the next six months the amount to be raised in Lancashire would be £1,200,000 or £1,500,000, four or five times the amount ever levied before.

Mr. COBDEN: Sir, it is not my intention to go into the question at large: but I was struck with the suggestion of the noble Lord the Member for King's Lynn (Lord Stanley), and probably a word or two may be added to the noble Lord's reasons in favour of his propositions. I think we must consider on the present occasion that the great difficulty we have to apprehend will arise towards the close of next winter, assuming that the present war in America goes on, which I humbly pray may not be the case. But assuming things to continue as they now are—and that depends upon whether any cotton comes from America, because all other hopes of alleviation are futile within the next two or three years, unless we do get cotton from America—assuming this state of things to continue, then I think the condition of the cotton districts will be much more serious, much more difficult in the next winter than it was in the last. In the first place, you will not, I am afraid, have that magnificent private benevolence in the form of subscriptions to rely upon which you have had the last winter—and I was glad to hear the hon. Member for Southampton (the Lord Mayor) give us this warning. I do not believe in the history of the world there has been an instance of a repetition of such a magnificent outburst of generosity as that we have witnessed during the last six months for the same object. Great benevolent efforts are in their very nature evanescent, because there are other claims always existing, and others arising to compete with them. I think, therefore, that next winter, assuming that this state of things goes on, will find you without this resource from this benevolent fund, and consequently find you under the necessity of relying entirely upon poor rates at a time when, as has been shown by my hon. Friend immediately above me (Mr. Potter), a large proportion of the ratepayers will have become insolvent: so that you will have a far greater claim upon the rates at the time when your benevolent fund will have ceased, and when much of your rateable property will fall out of the assessment list. This view of the matter becomes still more apparent and more urgent when we call to mind how much has been done in the way of charitable relief and in rates, already, in the manufacturing districts themselves. I would not say a word in derogation of these honourable tributes paid to that world-wide benevolence which has flowed into Manchester; but probably it is not generally known, that, after all, the largest portion of this great fund has come from the cotton districts themselves. I find by the tabulated Return made by Mr. Maclure, the Honorary Secretary of the Relief Committee in Manchester, that the amount raised locally to be dispensed by local committees, and not remitted to the Central Fund, has been £245,000. He states that the amount raised in the cotton district, and remitted to the Central Fund, is £350,000. I will now give an estimate—and I am sure, from the inquiries I have made and the evidence I have taken, that I am very much under the mark—of what does not appear in the table of Mr. Maclure—namely, the amount which has been given by individual millowners and manufacturers and landowners at their own doors—the allowances made to workpeople, and not published in any subscription list at all. There are individual millowners who are giving their workpeople from £20,000 to £30,000 a year. And taking the whole of the cotton district, I estimate that the amount of these private subscriptions, which will not appear in any local or general list, is £250,000—that is to say, that by Midsummer next, in this private way, money to that amount will have been contributed. That will give for the year ending Midsummer next, a total of £845,000 as the amount of contributions for the relief of distress from the cotton districts exclusively. Now, assuming that the whole of the voluntary subscriptions from all parts of the world amounts to £1,500,000, then it should be remembered that considerably more than half of that sum has come from the cotton districts themselves. It is quite evident, therefore, that with regard to a large proportion of those charitable contributions, you cannot look for the same result next year, because these parties will be weakened by the progress of this distress. But that is not all. I find from the same table that the poor rates levied in the distressed unions in excess of their average in former years is at the rate of £600,000 for the year ending Midsummer next; that in round numbers the rate amounts to about £12,000 a week in excess of the former rates. This is a very small share, indeed, of the pressure upon these districts. We have heard it repeatedly stated by those most competent to judge, that the operatives in Lancashire are losing at the rate of from £8,000,000 to £9,000,000 a year by loss of wages. Now, deducting what you have given in the shape of relief from voluntary contributions and from rates, I will take the loss of wages up to Midsummer next to be £6,000,000. But that is not all. You have an enormous loss going on in capital in Lancashire. I estimate the loss of capitalists, arising from loss of interest, depreciation of fixed capital, non-payment of rents of cottages (not including loss of profits, though that is a loss of income), to be at the rate of £5,000,000 for the year up to next Midsummer upon mills, manufactures, and all establishments forming subsidiary branches of the cotton manufacture. That makes the loss of wages and capital £11,000,000 a year. Now, I will put the whole down according to my estimate—

Loss upon wages and capital ...	£11,000,000
Amount of subscriptions... ...	845,000
Amount of increased poor rates	600,000
Total...	£12,445,000

Why, the whole amount of the voluntary contributions, great and unprecedented as it is, from all parts of the world outside the cotton districts, is hardly 5 per cent (or 1*s.* in the pound) of that which has been contributed and lost by the manufacturers and labourers in the cotton districts. Now, these facts will show how cumulative the pressure of the suffering will be next winter if the cause of the present distress continues. It is evident that the prostration of this district, however great at present, must be much greater, and my right hon. Friend at the head of the Poor Law Board must take this into consideration now. The wisest heads in Lancashire, as has been stated by the hon. and gallant Colonel (Colonel Wilson Patten), who has so honourably distinguished himself in this matter, are those who take the gloomiest view of the prospects of that district for the next twelve months. Well, all this may be to a large extent mitigated provided the war comes to an end in the course of the spring. But would it not be well, under all the circumstances, to take into consideration the suggestion of the noble Lord the Member for King's Lynn (Lord Stanley)? I think some alterations should be made in the Bill, with the view of giving increased facilities to the people more immediately concerned to meet from time to time these great difficulties; but I would submit to the right hon. Gentleman whether it would not be better to confine the operation of the measure to six months, and then to come again to Parliament; because about Midsummer or the beginning of July we shall be better able to judge what are the prospects for the ensuing winter.

Mr. PULLER said, that though a suggestion from the noble Lord the Member for King's Lynn (Lord Stanley) and the hon. Member for Rochdale (Mr. Cobden) carried great weight, yet he believed that the Government had decided wisely in proposing that the Bill should be continued for the period of twelve months. Sufficient experience had been gained to enable Parliament to come to a tolerably safe conclusion as to what alterations were required, and the proposal of legislating for six months only was open to the objection that people would not apply their minds to the subject with the same energy if the measure were a mere temporary stop-gap as they would if it extended over a longer period. Again, they should remember that a Bill introduced at the end of a Session could not be discussed so fully and so satisfactorily as one introduced at the beginning of a Session. He no doubt thought the present Bill capable of amendment; for instance, with respect to the alternative given to boards of guardians of either borrowing or coming upon the county, it seemed to him, that looking at the great profits made by the cotton districts in more prosperous times, there was no reason why they should not provide for their own poor by borrowing the money. The period of repayment might be extended, if necessary; but the districts which were able ought to bear the burden without coming upon their neighbours for it. If you left it to the caprice of boards of guardians to come upon the county or not, as they pleased, agricultural parishes would feel aggrieved, and would say with justice that the question of their liability to contribute should have been decided by Parliament. The amount thus thrown upon the county might hereafter, if the public subscriptions fell off, be double or quadruple what it now would be, and the agricultural districts would justly complain that there was no uniformity of treatment, and that one union demanded help while another in precisely the same position had borrowed the money.

Mr. MUNDY pointed out that the Union of Glossop, although in the county of Derby, was on the edge of Lancashire, and was Lancasterian in all its pursuits; and the unions in the south of Derby considered themselves aggrieved at being called on to contribute to the aid of the distress in a union fifty or sixty miles off. He would have conterminous counties made liable as well as conterminous unions. The great county of York, for instance, bordering on Lancashire, would hardly feel a rate in aid. He would extend the liability to the rate in aid to contiguous unions and counties as well as to parishes.

Mr. J. B. SMITH concurred in the suggestion that the continuation of the Act should be limited to six months, and suggested that an inquiry should be made by Committee or Commission into the present state of the manufacturing districts. At present our information came almost entirely from one source, the boards of guardians; but information was required from all sources whence it was available.

Mr. C. P. VILLIERS: There will be opportunities hereafter of considering the entire question, and I do not think it will be convenient to continue the present discussion. I have listened very carefully to the observations which have fallen from hon. Members, and they shall receive my most respectful consideration; but I think it would be better to postpone giving a decision at present.

Mr. J. B. SMITH: When does the right hon. Gentleman propose to take the second reading?

Mr. C. P. VILLIERS: On this day week.

Motion *agreed to.*

Bill to extend for a further period the provisions of the Union Relief Aid Act of the last Session, *ordered* to be brought in by Mr. Villiers and Mr. Gilpin.

Bill *presented,* and read 1° [Bill 17.].

TELEGRAPHS BILL.

LEAVE. FIRST READING.

Mr. MILNER GIBSON moved for leave to bring in a Bill "to regulate the Exercise of Powers under Special Acts for the construction and maintenance of Telegraphs." It was a measure to consolidate into one Act the various provisions contained in special Acts obtained by electric telegraph companies. Anything already done under existing Acts would not be affected; but the general Act would control all future operations. The measure was one entirely of detail.

Motion *agreed to*.

Bill *ordered* to be brought in by Mr. Milner Gibson and Mr. Hutt.

Bill *presented*, and read 1°. [Bill 16.]

House adjourned at a quarter before Eight o'clock.

HOUSE OF LORDS,

Friday, February 13, 1863.

ROADS IN SCOTLAND.—QUESTION.

The Earl of AIRLIE inquired, Whether the Government intend to introduce any Measure for the better Management of Roads in Scotland? The attempt which had hitherto been made to abolish tolls on the roads in Scotland had failed, and he was not surprised at it. But there was another class of roads, known as the statute labour roads, which were kept in repair by assessment of property. The funds raised for this purpose were quite inadequate, and the result was that the roads were every year getting worse and worse, and it was very desirable that some change should be effected. All they wanted was to get power to assess themselves for this purpose; and he believed that if the Government were to introduce a measure with this object, it would receive the general support of the Scotch Members.

The Duke of ARGYLL supposed that the question of his noble Friend referred to the Bill introduced two years ago for the abolition of tolls on the roads in Scotland. With regard to that measure, the reception which it had received was not calculated to encourage the Government to introduce that measure again. That was, in fact, one of the points—almost the only point—on which it was impossible to get harmony of action among the Scotch Members of Parliament. He should suggest that the best method of meeting the evil was for each county to do that which was done in the county with which he was more immediately connected—get a local Act and assess itself under it,

The Duke of MONTROSE said, that a general Road Act would operate unfairly, because it would throw the burden of the maintenance of the roads on the owners of property, and not on those who, like omnibus and coach proprietors, made the most use of the roads. In fact, the great promoters of road reform in Scotland were the owners of public vehicles, who, under the proposed change, would be entirely exempted from payment of the tolls to which they were now liable. The statute labour roads stood on a different footing, and it was desirable that more money should be raised for their maintenance.

THE INDIAN ARMY.

PETITIONS OF INDIAN OFFICERS PRESENTED.

The Earl of ELLENBOROUGH, in presenting Petitions from Indian Officers, complaining of the Loss of Advantages sustained by reason of the Amalgamation of the British and Indian Armies, and praying for Relief, said, these officers alleged that the pledge which Parliament had given to them two years ago, that all the advantages of pay, pension, promotion, allowances and privileges of every description should be maintained to them in any plan that might be adopted for the amalgamation of the Indian army, had not been kept. The view which he took of that Act was that Parliament entered into an engagement for the protection of the interests and rights, not of the army as a body, but of every individual in the army; and that whatever advantages, in the way of promotion or otherwise, each individual might have possessed at the time of the passing of that Act he was still entitled to—that the Crown had taken the government of India subject to that condition, and that that must be faithfully adhered to in every particular. Economy could have no voice where the question was one of justice, and he trusted that that was the view of the question that would be taken by the Government and by Parliament. This preservation of the rights and privileges of the Indian officers and of the men serving in the Indian army would in no way conflict with the power of the Crown to re-organize the whole body of the Indian army. That power remained as it was. But consistently with that re-organization the Crown must maintain the interests and rights of the officers as they existed on the day the Act was passed. One of the petitioners stated that in 1838 a letter from the Court of Directors granted to all colonels in receipt of certain payments, now called colonels' allowances, who might be unemployed in India, all the advantages of Indian pay and allowances. These were claimed by the petitioner, who occupied this position. No doubt, he was quite covered by the words of the Act of Parliament. It was contrary to the spirit and the words of the Act that he should not be allowed these advantages. There was another case of a somewhat different nature. An officer said that he was now eighth on the list of Engineer colonels, and that by the old arrangement on becoming fifth on the list he would have received a higher allowance; but according to the new arrangement he would not be entitled to receive that allowance till he was fourth on the list. That would appear at first sight to be a case of hardship, and contrary altogether to the Act of Parliament. But he understood that that officer had, in consequence of the very arrangement now complained of, been advanced from the rank of lieutenant-colonel to that of colonel; and had been in receipt for some time of colonel's allowances. Now, while this officer was undoubtedly entitled to all the advantages which attached to his position when the Act passed, it was not consistent with justice that he should derive all the advantages of the reorganization, and then have compensation for any accompanying loss which he might have sustained. The only proper mode of dealing with such a case was to take into account both the advantages and the disadvantages to which that officer had been subjected under the new system and then to effect a fair adjustment between him and the public. Other smaller matters might be mentioned, but the real question which interested the whole army not employed on the staff was the question of promotion. The complaint made was that the promotion of the officers of the army had been in three several ways impeded by the reorganization. They complained that they were not, according to ancient right, permitted to succeed to every vacancy created by retirement. When, in Febuary, 1861, the Government offered as a bonus an additional annuity of £50 to field officers willing to retire from the service, it allowed that promotions should take place in the case of every vacancy so created. When, six months later, it was found that this offer produced only fifty-six applicants, the Government increased its terms so largely that in some cases the annuity offered was eleven times, and in no case was it less than four times, the amount first offered. But when that was done, although promotion was given in the case of captains and majors, it was refused in the case of one half of the lieutenant-colonels. However inconvenient it might be that the whole of these lieutenant-colonels should be replaced by officers coming forward by promotion, still he apprehended it was altogether inconsistent with ancient practice and the rights of the Indian army, and the Act of Parliament which maintained those rights, that they should not have enjoyed the whole of the promotions opened up by the retirement of these lieutenant-colonels. There was another grievance which was complained of under the head of promotion. It was complained, that promotion was not granted in the case of the transfer of officers from the former regiments—from the European regiments to the new regiments that had been formed. These regiments were called by the petitioners "new regiments," whilst the Government denominated them "representative regiments"—a kind of regiment of which he had never before heard—and considered them as representing the old. Formerly there were in the Company's service nine regiments of infantry, and six or four of cavalry. For these were now substituted nine regiments of infantry, and three of cavalry in Her Majesty's service; and it was offered to the various companies and men to volunteer into these regiments, it having been understood that without the volunteering of these men, these regiments could not be formed, inasmuch as the Queen's regiments were available for general service, whereas the Company's regiments were for local service. Thus there was both the representative thing and the thing represented; there was no conversion of whole regiments into representative regiments or anything like it. The complaint was that promotion was not so rapid as it ought to be, in consequence of the transfer of these officers into the new regiments not being followed by the promotion of officers in their room. He could not say he took a very decided view on that subject. He desired that a Commission or a Committee might be appointed, with power to search the records of both services to look for precedents and discover, if possible, any precedent for the conversion of old into representative regiments, or any conversion at all resembling it—so that by direct precedent or analogy they might be guided in their opinion on the subject. It was a subject that required deliberate inquiry, and he could not at present give an opinion on it. But the great grievance of all, the complaint in which the officers were most interested, was that which they made on account of the formation of the Staff Corps, which was a new regiment, or what they called a new regiment. The transfer of no moderate number, some 1,300 officers to the Staff Corps, gave them, as they held, a right of promotion in the place of the officers so transferred. He did not take altogether the view adopted by the petitioners on this subject; and on this ground, that these gentlemen who were now called the Staff Corps, although they did not by any means all belong to the staff of the army—on the contrary, many of them held political or civil and administrative appointments, or posts in the commissariat and elsewhere connected with the army—yet these offices always were held by these officers, and there was no new grievance in this respect. It was true that these officers often returned to their regiments at periods very disadvantageous to the public service, when their rank enabled them to take the command although having no military experience; but this had been a standing subject of complaint for the last forty or fifty years. The position of the petitioners was not, therefore, in this respect worse since the day when the Act was passed; and the grievance was not created by the re-organization of the army, or its transfer to the Crown. What the petitioners said, was that these officers were relieved from regimental charges altogether. They did not subscribe to the mess or the band, and they did not contribute to the fund for buying out officers at the head of regiments. They were, however, subject to rules, which the Government said regulated, but the petitioners said retarded, promotion. One of these officers, having attained a higher rank through the more rapid promotion in the Staff Corps, might be sent back to take the command of his regiment over his seniors, and while his name appeared in the roll of the regiment as a subaltern. It had been arranged that officers of the Staff Corps should obtain promotion according to the number of years they had served, and thus they obtained promotion a great deal sooner than others. Now, no one who was conversant with the feelings of officers could fail to know that the most galling thing to them was supersession, and yet it was a necessary consequence of the system that those officers who remained with their regiments should be superseded, and that the Staff Corps should be much more rapidly promoted. Another inconvenience attached to the system was that, detached as these officers were from their regiments, they did not contribute either to the band or mess, and the consequence was that it became difficult to maintain either the one or the other. This tended to disorganize or unregimentalize a regiment and to destroy its *esprit de corps*. Some parts of the prayer of the petitioners it would, no doubt, be difficult, if not impossible, to grant. The petitioners complained, that whilst they existed together as a regiment, and before the establishment of this Staff Corps, the officers now employed on the service nominally called the staff used to contribute their quota in order to buy out their senior officers for more rapid promotion. All that had been contributed for this purpose was now utterly thrown away. This was no doubt a great hardship, but the Government were of opinion that it was out of their power to remedy it, and indeed, he understood, a legal opinion had been given to the effect that such a contribution was similar to the buying of an office, which was illegal, and therefore that money paid for this purpose could not be recovered. But there were means, he thought, of alleviating these grievances. The rules of the Staff Corps with regard to promotion gave an unusual and unreasonable advantage to officers of that corps. The Government, having contracted with these officers, must comply with the terms they had offered, and give them substantive rank; but there was nothing to prevent the Government from extending the privileges already given to the Staff Corps to the infantry and cavalry, after a certain number of years' service. Thus, brevet rank would, after a certain number of years, be conferred upon officers remaining with their regiments. Thus what he believed to be the main grievance would be done away with. There was nothing, also, to prevent the Government from supplying regiments, which were deprived of the subscriptions of their absent officers, with funds for the maintenance of their bands and mess. He had endeavoured to look at the whole question calmly and dispassionately, and he was sure their Lordships would agree that in all transactions with men the only honourable course, and with soldiers the only prudent course, was that of strict justice; and he would remind their Lordships of what the Duke of Wellington said, that in dealing with soldiers you must not only be just, but make them understand that you were so.

THE DUKE OF ARGYLL said, that the speech of the noble Earl had greatly relieved his mind. He had anxiously considered whether the grievances of the officers of the Indian army were just, and he had come to the conclusion that there was no shadow of ground for the complaint that the guarantees of the Act of Parliament had been violated. It was a serious question whether the Government had fulfilled the intentions of the Legislature and the promises made by Parliament and the Crown, and had kept faith with the officers of that noble service to which England and India owed so much. He agreed also with the noble Earl that the Legislature ought not to look simply to the question of economy in considering the interpretation of a Parliamentary guarantee. He could not, however, help remarking that in almost every case of individual complaint the noble Earl had made some important qualification, implying that the guarantee given by Parliament had not in that particular case been violated. He spoke of the guarantee in general terms, but their Lordships should understand exactly what that guarantee was, and the circumstances under which it had been given. The guarantee to which the noble Earl adverted was, he believed, that known as the Henley Clause in the Act transferring the government of India from the Company to the Crown. This Act declared that the officers of the Company should be under the same obligation to serve Her Majesty as those under which they had served the Company. They were bound to serve within the same territorial limits, on the same terms, at the same rate of pay, pension, and allowance, and were to enjoy the same privileges as regarded promotion as if they had continued in the service of the Company. This was not a guarantee that they should all remain exactly in the same position, though substantially he admitted that in any reorganization of the Indian army it amounted to a promise that the Government would not put these officers in a worse position than they were before. The guarantee, for example, was not to prevent the Government, in its new form, from adopting any measure which it would have been competent and natural for the Government in its old form to take,—or to preclude it from any policy which in an Imperial point of view might be desirable for reducing the army and economizing the resources of the State; but the guarantee was that in carrying out any such reforms care should be taken to protect the interests of the officers of the army. Now, he would not only say that this guarantee had been absolutely fulfilled; but he was prepared to say that in reorganizing the Indian army the officers of the old Company had been dealt with in a large and liberal spirit. The Government determined to effect a large reduction of the native army. The spirit of the implied guarantee was, that such reduction should be carried out on the same principle as the old Company would have carried it out. Now, he need not ask the illustrious Duke the Commander-in-Chief of the British Army what the effect upon each individual officer would be of a determination to reduce the British Army. Their Lordships all knew, that while the men would be disbanded, every single officer in the disbanded regiments would be reduced to half pay; and no one knew better than the illustrious Duke, that if he went to the Chancellor of the Exchequer or to the Government to ask that these officers should receive not only their full pay, but also their pensions, such a request would be little likely to be complied with; yet this was the course which had been followed by the Indian Government in regard to every one of the Indian officers. Take the case of the Bengal army. When the mutiny broke out, the great army of Bengal consisted of seventy-four battalions. When the mutiny was suppressed, of these seventy-four battalions only eleven remained with their arms in their hands—only eleven had remained faithful to the Government. After the mutiny it was determined to reduce the battalions from seventy-four to fifty-two in number. Every one of the officers in the reduced regiments was put, not upon half pay, but full pay, with large allowances.

He had, therefore, a right to contend that the spirit as well as the letter of the guarantee had been complied with. Not one single officer had been deprived of any of his pay or of any advantage he had possessed before. They were kept on full pay, and in many instances enjoyed staff appointments besides. So far, too, from the change being carried out in a manner injuriously affecting the prospects of the officers, it very largely increased and accelerated their promotion. An offer was made to every field officer in the Indian army, and to half the captains, to retire on full pay, with an estimated value for the prospect of promotion and full terms for allowances. How many officers took advantage of that proposal? Why, not less than 270 officers accepted those conditions. They, of course, were not entitled to complain, and they were, in fact, perfectly satisfied with the liberality of the Government. Their Lordships would not fail to see how enormously the retirement of this large body of officers had accelerated the promotion of the rest. Many officers had gained from forty to fifty steps in the army thereby; and yet many of the petitioners complained of the great stagnation of promotion. No doubt after such an amount of promotion artificially produced, what he might call the annual crop of retirement and promotion was for a time retarded, but only because it had been in fact anticipated. He had taken the trouble of referring to *The Army List*, and seeing what had been the position of an individual officer who had presented one of these petitions, and he found, that so far from his being injuriously affected by any measure which the Government had taken, he had gained, by their liberality and by the offer they had made for these new retirements, not less than forty-seven steps, and was brought nearer to his promotion by some three or four years. So much with regard to the question of reduction. He maintained that the Government had a perfect right to reduce its military force, although, of course, that reduction ought to be conducted in a manner as little detrimental as possible to the interests of Indian officers. That, however, he contended had been done; the promotion of those officers having been accelerated, and advantages having been even conferred on that army to which it had no strict claim. Then he came to the question of the Staff Corps, the point on which almost all the petitions principally dwelt. Their Lordships were probably aware that it had been the practice of the old Indian Government to administer the affairs of India largely by the aid of officers of the Indian army. Those officers had been employed in the discharge of every kind of duty—purely civil and purely political — as well as of duties half civil and half military. They were taken promiscuously from different regiments, according as the individual officer was thought fit for each particular appointment. Every one of these officers was, nevertheless, continued on the strength of the regiment from which he was chosen. That system was supposed to have injuriously affected the discipline of the regiments from which these officers were withdrawn, and one of the very last acts of Lord Dalhousie's Government was to direct the attention of the Home Government to the serious influence which their abstraction had, and was likely, if continued, to have on the Native army; because it should be remembered that it was not merely that a regiment was deprived of a certain proportion of its officers, but its best officers were regularly picked out and sent away to other employment. That was an evil which would have been equally felt, whether there had or had not been a transference of the Government of India from the Company to the Crown, and whether what was called the Amalgamation Bill had or had not been passed. What, then, had been the remedy proposed? It had been urged by Sir Henry Lawrence, and indeed by a general concurrence of opinion in India, that there should be a separate body formed, from which, and from which alone, these staff officers should be taken. But as fears had been expressed that under the new system it would be difficult to get officers to devote their lives to the service of India as had previously been the case, it had been recommended that considerable inducements should be held out to English officers, whether of the Queen's army or otherwise, with a view to overcome that difficulty. A new code of regulations and conditions was accordingly drawn up for the Staff Corps, which regulated promotion on terms which offered some advantage over regimental service. But no man had a right to complain of this. The Parliamentary guarantee was, that the position of no man should be made worse by the changes effected; it was not a guarantee that no man's position should be made better. But if we gave new advantages under new conditions, it was in the nature of things that only a certain portion of that army would be able to avail itself of them, and, no doubt, those who could not do so might consider themselves prejudiced by the arrangement. That, however, did not flow from the amalgamation, nor from any violation of the Parliamentary guarantee, but from a great measure of policy for the general benefit of the empire. Alternative remedies had been suggested by these officers. One was that all the officers who went upon the Staff Corps should be removed from the strength of the regiments, and that promotion should go on in the regiments, filling up the vacancies thus created. It should be observed that the evil they complained of was that the advantages of the new system were unequally distributed. Look at the remedy they proposed for that. In the Bombay army what would be its effect upon two regiments—for example, the 4th and 5th Native Infantry? It so happened that in the first of those regiments only four or five officers had volunteered into the Staff Corps, while in the second fourteen or fifteen had done so, all of them being captains. What, then, would be the result of removing these names from the strength of the regiments and allowing promotion to go on as suggested? Why, in the 4th Native Infantry it would have very little effect, four or five men going a step upwards; whereas in the 5th Regiment one of the junior lieutenants would be immediately promoted to the rank of major, and after about nine years' service he would thus be placed over the head of men who had been fourteen or fifteen or twenty years in the army? The other alternative suggested was that special promotion to the Staff Corps only should cease. Now, that was a question of general policy, and no man was entitled to complain, as a personal grievance, that it had been determined in a way to put others before himself. If it were desirable as a matter of Imperial policy to offer special advantages to officers of the Staff Corps, that certainly in no way infringed the Parliamentary guarantee given to the officers of the Indian army. Their position remained exactly what it had been before in respect to regimental promotion. He now came to another point mentioned in the petitions. When the number of regiments of the native army was reduced, of course the number of colonelcies had to be reduced also; and he did not see that any man was then entitled by the guarantee to demand that his prospects in respect to the command of a regiment should remain precisely what they were before that reduction. At the same time, in order to meet the claims of those officers in a still larger and more liberal spirit, a new rule had very recently been adopted by the Indian Government, providing that all lieutenant-colonels, after they had served twelve years, should be in a position to become entitled to regimental allowances He did not know whether that would entirely meet the views of some of these officers, because he believed that many of them had extravagant expectations; but he maintained that the Government had not only faithfully adhered to the guarantee, but given it a large and liberal interpretation in their favour. He had a statement in his hand, showing the actual effect of the new regulations. The total number of officers in the Indian army on the 1st of January, 1861, exclusive of colonels of regiments, was 5,309. Of these, the number who had joined the Staff Corps was 1,333. [The EARL of ELLENBOROUGH: Of whom 19 only were Queen's officers.] Just so; and therefore the whole of the rest were officers of the old Native army. The number who had been transferred to the British service—Artillery, Engineers, and new Line regiments- s 1,356. The number who had accepted annuities and retired was 270. The promotion which had been given in the Indian army as a consequence of these several measures were as follows: in the Staff Corps 22 officers had been promoted to the rank of lieutenant-colonel, 342 to that of major, 301 to that of captain, and 4 to that of lieutenant, making together 669. By transfers to the new Line regiments the following promotions had taken place among the Indian officers: 3 to the rank of lieutenant-colonel, 17 to that of major, 63 to that of captain, and 15 to that of lieutenant. The officers who had received promotion in consequence of the retirements occasioned by the offer of extra annuities were as follows:—49 to the rank of lieutenant-colonel, 87 to the rank of major, and 103 to the rank of captain, making together 239. The total number of promotions made among 3,683 officers who remained in the Indian service was no less than 908—a very large proportion in a very short period. He had gone into these details because he was anxious to show that full faith had been kept with these officers, and that they had no good ground of complaint whatever. It would have been cause of deep regret to the Government if any action on their part had given any just ground of complaint to the officers of a service to which we owed some of the most memorable days of our military glory; and which had rendered immortal services to the State.

The Earl of ELLENBOROUGH regretted that only nineteen Queen's officers had entered the Staff Corps, because that corps was hereafter to furnish officers for the whole of the Indian army, and it was only from the Queen's service that it could be recruited. If, therefore, up to the present time only nineteen Queen's officers had joined the corps, he must say that our hopes for the future were not very encouraging.

The Duke of ARGYLL asked to be permitted to add to what he had already stated that it was perfectly true that an officer who had been home on sick leave for four years was unable to enter the Staff Corps on his return to India. When the corps was first formed, it was composed of those officers who were actually at the moment engaged upon staff employment. It was subsequently employed under this condition: that officers seeking to enter should have been on staff employment some time during the previous three years. That regulation, however, in no way affected the prospects of the officer in question, in respect to staff employment, though it did effect his prospects in staff promotion.

The Duke of CAMBRIDGE said, he could not participate in the alarm with which the noble Earl (the Earl of Ellenborough) viewed the fact that only nineteen Queen's officers had volunteered into the Staff Corps. It was right their Lordships should remember the circumstances under which the Line officers were invited to enter that corps. The regulations of the corps were perfectly new, and one of the most essential was that all the officers should have a knowledge of the native language. For the acquisition of that knowledge a considerable amount of study was evidently required, and until the position and requirements of the Staff Corps became thoroughly known the Line officers, of course, did not attempt to qualify themselves for admission. The old Indian officers, on the other hand, were already qualified. Now, that the regulations were well understood and the advantages known, he had not the slightest doubt that the number of Queen's officers entering the Staff Corps would prove amply sufficient for the object in view. It should be recollected, moreover, that at the first formation of the corps it was of the greatest importance that the old local officers should volunteer into it. The corps was not only a military corps: it was to supply the whole political and civil staff of India. For such employments the most qualified men at the present moment evidently were the officers of the old local service, who had been hitherto engaged in similar avocations, and who were merely transferring their services from their old regiments to the Staff Corps. With regard to the other grievance that after a term of service they would return to their regiments with a higher rank and supersede other efficient officers, the noble Duke (the Duke of Argyll) had answered this point so fully, that he had left nothing for him to say; and he would only observe that one of the chief objections to the old system in India was, that the return to his regiment, when on service, of an officer who had been engaged in some civil occupation often led to the displacement of a more efficient officer. Such was the very evil which the Staff Corps was formed to remove, and therefore it was not correct to attribute its formation to the outbreak of the mutiny, though its organization was doubtless accelerated by that deplorable event. Something had been said of the Native regiments, but, in point of fact, those regiments had ceased to exist. The *cadres* of officers were still in existence, because their perpetuation was necessary for the regulation of promotion; but the officers had no regiments, and therefore it was impossible that they could return to them in a higher grade from the Staff Corps. Here he might be referred to the Madras and Bombay armies; but though he was not aware whether the Government had come to any decision on the subject, he certainly understood that the new system adopted in Bengal was to be gradually extended to the other two Presidencies. He did not think the officers of the Indian army had any real grievance. In the Queen's army, if the number of regiments was reduced, the officers were asked no questions, but simply told their services were not further required for the present, and they were placed on half-pay; whereas, the Government had done its best to diminish the difficulties in the Indian service. He did not believe the officers had lost anything by the recent changes; on the contrary, he believed that the greatest liberality had been shown to them, and he was very glad that that was so, for the position they were placed in was one of the most painful character, and one attributable in no way to the acts of the gallant gentlemen themselves. The noble Earl had remarked upon the declaration required from an officer when he retired from his regiment, to the effect that he would not accept more than the regulation price of his commission. A similar declaration formerly existed in the Line regiments, but it had long since been done away with, for the simple and sufficient reason that it was invariably evaded. He believed that the declaration required in India was given up about the same time; but its abandonment must not be taken as an acknowledgment that a bonus should be given to any officer to induce him to retire. All the other points raised by the noble Earl had been fully discussed, and he could only add that if at any time any considerable reduction should be made in the British Army, he hoped the same liberality would be shown by the country as it had exhibited in the case of the Indian officers. He did not think that any officer of the Indian local service had suffered by the change which had taken place; and he was very glad of it, because he agreed with the noble Earl and the noble Duke that our old Indian officers deserved to be treated in a large and liberal spirit. He was glad this question had been raised, because it had elicited a very clear explanation from his noble Friend (the Duke of Argyll) which he hoped would satisfy all the officers concerned that the Government was really anxious to do justice towards them.

THE DUKE OF ARGYLL wished to add, that an order had been sent out to India that in no case should an officer be transferred from the staff to the command of a regiment in supersession of any other officer who had been doing regimental duty.

House adjourned at half past Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 13, 1863.

MINUTES.]—NEW MEMBER SWORN.—For Cambridge Borough, Francis Sharp Powell, esquire.

RESOLUTIONS IN COMMITTEE.—Post Office Savings Banks; Customs Acts (Tobacco Duties); Drainage (Ireland) [Stamps].

PUBLIC BILLS.—*First Reading.*—Innkeepers' Liability (No. 1) [Bill 18]; Municipal Elections [Bill 19].

TENURE OF LAND (IRELAND).

QUESTION.

MR. MAGUIRE said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to introduce during the present Session any measure with a view to amend and improve the laws relating to the occupation and tenure of land in Ireland, and to insure to the tenant an adequate protection for his outlay of capital in improvements?

SIR ROBERT PEEL said, it was not the intention of the Government to introduce any measure during the present Session upon the subject to which the hon. Member had referred, it being their opinion that the Bill of 1860 had effected a final settlement of the long-agitated question, and they did not feel disposed to reopen it.

COLLIERY ACCIDENTS.—QUESTION.

MR. WYLD said, he rose to ask the Secretary of State for the Home Department, If, at any future coroners' inquests which may be held upon the sufferers by colliery accidents, the Government will authorize the attendance of a legal officer to watch the proceedings upon the part of the Crown?

SIR GEORGE GREY said, the Government did not propose to establish any general rule with that object. The great majority of colliery accidents did not require it, and in certain special cases practical mining engineers had been sent to attend the inquests.

CIRCUIT REGULATION COMMISSION.

QUESTION.

MR. ARTHUR MILLS said, he desired to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to take any steps in pursuance of the recommendations of the Circuit Regulation Commission, or in any way to alter the existing divisions of the Judges' Circuits?

SIR GEORGE GREY said, it had not been thought necessary to make any change in the circuits generally. But it had been thought expedient that a change should be made with respect to the Northern Circuit, owing to the great amount of business connected with it, and measures were in contemplation with a view to a more equal distribution of business. The details of the arrangement were under the consideration of the Lord Chancellor, who was in communication with the Judges on the subject.

PRIVATE BILLS.—QUESTION.

MR. ARTHUR MILLS said, he had to ask the President of the Board of Trade, Whether the reference to the Committee about to be appointed on Private Bill legislation will include the question of the expediency or otherwise of empowering Committees on Private Bills to award costs in certain cases?

MR. MILNER GIBSON said, that if it should please the House to appoint the Committee of which he had given notice, there would, he thought, be no doubt that the question of the awarding of costs would come within the scope of the order of reference.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

INCLOSURE OF CROWN LANDS.

MOTION FOR AN ADDRESS.

MR. PEACOCKE said, he rose to move, as an Amendment, an Address to the Crown, with a view to the prevention of the enclosure of Crown lands within fifteen miles of the metropolis. Parliament had always looked with a jealous eye upon Bills for the enclosure of waste lands, so as to prevent, if possible, the enclosure of lands adjacent to the metropolis and to populous towns, which were so conducive to the health as well as recreation of the inhabitants. Formerly, while other Inclosure Bills were private Bills, Bills which sought to enclose lands within a certain distance of populous towns, were Bills of a public nature; but in consequence of the great expense involved in passing private Bills, all Inclosure Bills were made public Bills. The result was that the House ceased to have any information or warning when lands were sought to be enclosed within a certain distance of populous places. Lands coming under the head of Crown Lands had been enclosed in the case of Hainault Forest, by the 14 & 15 *Vict.*, c. 43, and hon. Members had, he hoped, given their assent to the measure legalizing the enclosure rather because they were ignorant of what its effects would be than because they were insensible to the injury which it inflicted upon the poor people up to whose dwellings the forest extended. He had, he added, moved for certain Returns with a view, among other things, of ascertaining the extent of forest rights; and so long as those rights were respected Epping Forest would remain what it now was, a tract of land extending over 10,000 acres, and affording the means of recreation and the preservation of health to the inhabitants of the eastern portions of the metropolis. When he took into account the sums of money for which rights so valuable had been in several instances disposed of, he was, he confessed, not a little astonished at the extraordinary nature of the bargains which had been made. The return to which he alluded extended over five pages, but he would take only four cases to illustrate what had been done. He found that in 1856 the Crown rights over 1,891 acres of land were sold to Lord Wellesley for £1,891; in 1857 the rights over 325 acres to Messrs. Lambert and Dane for £1,353; while in 1858 the rights over 695 acres were sold for £3,349, and in 1860 the rights over 1,377 acres for £5,468—making a total of 2,832 acres sold for about £11,000. The House would, he thought, concur with him in thinking that amount a most inadequate compensation for the loss which the public experienced in being deprived of the privilege of enjoying themselves on those grounds. It should also be borne in mind that the land thus enclosed was situated in the immediate vicinity of those poor people in the north-east of London who, with the exception of Victoria Park, had not a single open space for recreation. From that circumstance, in conjunction with the fact that the population of London had between 1851 and 1861 increased eighteen per cent, or by 441,753 persons, he did not think he should be charged with having attached undue importance to the subject in having brought it under the notice of the House. He should like to know what would be the feeling of hon. Members if they heard that a portion of Richmond Park was to be filched away in the manner he had described. Recently, when a measure was proposed to enclose Hampstead Heath, it was loudly protested against, and yet it was only a recreation ground for the comparatively rich. With what indignation, then, ought they not to look upon the gradual encroachments on Hainault and Epping Forests, which were a source of health and a source of recreation for the densely-packed labouring classes of the metropolis? He would therefore conclude by moving as an Amendment—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that no sales to facilitate Inclosures be made of Crown Lands or Crown Forestal Rights within fifteen miles of the metropolis."

Mr. COX said, he rose to second the Motion. The reason why it had been possible for encroachments to be made upon the forests of Epping and Hainault during the last few years was, that at the time of the passing of the Copyhold Inclosure Bill it was provided that notices should be given to all private individuals interested in the land proposed to be enclosed; but no provision was contained in the Act which made it necessary that any notice should be given to persons who might have merely public rights. In the last Session, without any notice whatever being given to the public, a Bill was brought in by the Secretary of the Home Department to carry into effect a provisional order of the Inclosure Commissioners. It spoke of certain lands in the parish of Chigwell, in the county of Essex, and but for a constituent of his who lived at Chigwell, it would never have been discovered that it was proposed to deprive the public of the use of between 400 and 500 acres which they had enjoyed from time immemorial. The Bill was referred to a Select Committee, and so strong a case was made out, that a great part of the intended deprivation of the public was prevented. It was clear the Copyhold Inclosure Act, having been passed while Epping was still a forest, did not apply to it now that it had been disafforested, and more watchfulness ought to be exercised over the sales of land. The sales of these Crown rights, while adding but little to the revenue of the country, acted injuriously upon the interests of the public, and he therefore thought it was quite proper and right that the Motion of the hon. Gentleman (Mr. Peacocke) should be carried, and a stop put to the filching away of these lands from the people.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that no sales to facilitate Inclosures be made of Crown Lands or Crown Forestal Rights, within fifteen miles of the Metropolis,"

—instead thereof.

Mr. PEEL said, that although the Motion of the hon. Gentleman opposite (Mr. Peacocke) was in general terms, it appeared by his speech that it had reference exclusively to the Forest of Epping, and he did not know of any forest near London except Epping over which the Crown possessed forestal rights. Allusion had been made to Hainault Forest; but that was disafforested some years ago, when the Crown was awarded a separate estate, whereupon all its forestal interests came to an end. With regard to Epping Forest, he could not understand the hon. Gentleman dwelling on the supposed sacrifice of Crown property by the sale of the interest of the Crown over 3,000 or 4,000 acres for £10,000 or £11,000. The hon. Member must greatly overrate or misconceive the nature of the interest of the Crown in Epping Forest. The Crown did not possess any part of the soil of that Forest. The Forest belonged entirely to private persons, as lords of manors, and to those persons who had received grants from the lords of manors. The only interest possessed by the Crown was a simple forestal right of ranging deer over the lands. He need not say that such a right, so far as the revenue of the Crown was concerned, was not of the slightest value. There were no deer in the forest, and in the present state of things it would not be possible to make Epping a deer forest without the greatest inconvenience. The course which had been taken with regard to that right was clearly explained in a letter from Mr. Kennedy, the Commissioner of Woods, dated April, 1853, and published in the Report of the Inclosure Commissioners for that year. Mr. Kennedy said—

> "I have always entertained, and still entertain, an opinion that if it were possible to disafforest Epping, to prevent subdivision by enclosure, and without cost to the Crown or the public to preserve it for the enjoyment of the public, it would be a desirable object; but, having regard to the great difficulties, I reluctantly come to the conclusion that the course indicated by the solicitors, that of bringing to sale the right of the Crown, is probably the only course which can practically be adopted; and if your Lordships should concur in the propriety of this course, I am of opinion that its adoption ought not to be delayed, as Ep-

ping Forest can only be a source of expense, and its present condition, social and economical, is in the highest degree unsatisfactory."

In consequence of that recommendation of the Commissioner of Woods, the Treasury sanctioned from time to time sales of the interest of the Crown in the land, and the Returns to which the hon. Gentleman had referred showed the extent to which these sales had been carried up to the present time. He might mention that in all cases the rights of the Crown were sold to the owners of the soil. The hon. Gentleman proposed that in future those sales should be discontinued, and he did so not from any desire to preserve the forestal rights of the Crown for the sake of their legitimate object, or from taking any interest in those forestal rights, but from a desire to preserve the forest in which the Crown rights existed not now over 9,000 acres, but over only about 2,500 acres, as an open forest for the use of the people. The course which the hon. Gentleman recommended should be taken was not fair either to the Crown or to the owners of the soil. Let him tell the hon. Gentleman that to attain his object it was not sufficient merely that the Crown should abstain from selling its rights, because the right of the Crown was simply to feed deer over the forest; and if that right was not exercised, it became obsolete. [" No, no!"] Practically, that was so. However that might be, the hon. Gentleman would admit that if the rights of the Crown were to be preserved, any invasion of them must be resisted; and the only mode by which the Crown could resist encroachments would be by taking proceedings in the Court of Exchequer. There were instances to show that proceedings of this kind were attended with very serious expense to the Crown. As regards the owners of the soil, the adoption of this measure would change the nature of the easement which the Crown had over the land, and would be an endeavour to use the forestal rights of the Crown as an instrument for converting the property of private persons into a public park. On these grounds he must oppose the adoption of this Address.

SIR GEORGE GREY said, that in the course of the discussion on the enclosure of Chigwell Forest last year it was suggested, very reasonably, by the hon. Member for Maldon (Mr. Peacocke) that whenever a scheme received the sanction of the Inclosure Commissioners, dealing with a piece of land within fifteen miles of the metropolis or within specified distances of other large towns, the attention of the House ought to be specifically directed to the fact, in order that it might not in ignorance of the facts give its sanction to enclosures to which objections on these grounds could be brought. He accordingly wrote to the Inclosure Commissioners, requesting them in their Reports to call special attention to enclosures of this particular nature, and received a reply from them in July last, undertaking that this course would be followed on all future occasions. Under these circumstances, as long as the law remained in its present state, he thought it would be unwise to pledge the Crown to refuse its assent to what might actually be sanctioned by Parliament.

MR. BUXTON said, the importance of the subject was much greater than might be supposed; in fact, there were few questions more nearly affecting the happiness and welfare of a large share of the metropolitan population. He differed from the hon. Member in thinking that the whole of Epping Forest ought to be preserved; there were nearly 10,000 acres which might well be enclosed. The highest points should all be retained in the hands of the Government, but there was a vast extent of swampy ground which might be sold, and would prove of great value, if not for agricultural purposes, at least for building ground. The population of the Tower Hamlets exceeded 650,000, and consisted of persons whose whole lives were spent in arduous work, and who had no opportunity of obtaining change of country air except by going down to Epping Forest, as Victoria Park lay so far to the north-east that it was virtually inaccessible. Last year no less than 76,000 persons went down by excursion trains, in addition to multitudes who travelled by the ordinary trains at exceedingly moderate fares. Having lived for years near the main road to Epping Forest, he had seen thousands of conveyances going to and fro, and he knew no more delightful spectacle than to witness mechanics and hard-worked tradespeople enjoying the delightful air and scenery on Sundays, nearly always accompanied by their wives and families. The objection on the score of expense to the Crown would be removed by the course which he suggested, while the claims preferred on behalf of neighbouring proprietors were really not founded on reason, the properties they now held having been acquired subject to forestal rights existing for 800 years. The slight inconvenience to proprietors ought not to be put in the scale against the wonderful benefits to the population of East London. He hoped the Government would take up the subject, and prevent these natural parks from being destroyed.

Mr. LOCKE said, it was obvious that if the Crown would only remain quiet and not part with its forestal rights, Epping Forest would not be closed, but the public and the inhabitants of the metropolis would continue to enjoy the privileges which had been theirs for centuries past. The right hon. Gentleman the Secretary for the Treasury had said, that if the Crown declined to interfere, its rights would be lost. In that the hon. Gentleman was entirely wrong, for there came in the old principle of law, *Nullum tempus occurrit legi.* The rights of the Crown always exist, no matter what might be done by its subjects derogating from those rights. Therefore, what was asked was simply that the Crown should hold its hand, and that it would not disafforest any part of Epping Forest. The consequence would be, that the public would continue to enjoy their accustomed rights. Who were the proprietors of the forest? It was said the lords of the manor; but the lord of the manor was not the lord of the soil. He had the right of taking game and so forth over the wastes, but he could not plough the ground. He presumed that the forest was in the nature of a common, and that the inhabitants of the neighbourhood had the privilege of sending their cattle there to graze, beyond which everybody had a right to use the place for the purpose of recreation and enjoyment. He should give his support with the greatest satisfaction for the proposition of the hon. Member for Maldon; and, if he divided, should vote with him.

Mr. AYRTON said, whenever a private Member attempted to bring forward a Motion affecting the public interests, he was sure to be told by some one in authority that he was wrong in the procedure he had adopted. But if the hon. Gentleman took any other course than that which he had followed, he would certainly have gone on a wildgoose chase. It was not competent to a private Member to introduce a Bill bearing upon such a question as that now before the House without obtaining the previous assent of the Crown. That was the only constitutional course. He hoped the Motion of the hon. Gentleman would be agreed to, and he thanked him for having introduced it, as in the hands of the metropolitan Members it might be made the occasion of imputations against them.

The CHANCELLOR of the EXCHEQUER: Sir, I think it is desirable that the House should pay particular attention to the terms of the Motion. The Motion proposes, by a rule as rigid as the House can make it, to prevent the Crown from taking any steps by the sale of its forestal rights for permitting the enclosure of lands within fifteen miles of the metropolis. It is one question whether certain lands that are now open, and that are well adapted for the purpose, should continue open with a view to the recreation of the inhabitants of the environs of the metropolis; but I beg to observe to the House that it is quite another question whether the House should by an Address bind itself and the Crown to permit no sale of forestal rights whatever, and therefore to allow of no enclosure whatever, so far as they are concerned, within a radius of fifteen miles from the metropolis. If the hon. Member desires that the Crown should use a proper and careful discretion in parting with those rights, in order that those rights may not be parted with in a manner injurious to the comfort of the population, that is one thing. But what I ask the House is that they will leave it to the Crown to exercise that discretion in parting with those rights in cases where it can be done in justice to the local population—in cases where the proposal is on the part of the public at large to realize funds for the benefit of the State, and where those funds can be realized without any hardship to the inhabitants of the neighbourhood. The question is not at all whether all these lands are to be enclosed and the public are to be excluded from that enjoyment of them which they have had hitherto, but whether all discretion is to be taken from the advisers of the Crown and a rigid rule is to be laid down that no matter how useless any portion of these lands may be to the people in the neighbourhood, and no matter how considerable a prize may by their sale be obtained for the benefit of the State, they shall not be sold because they are within a radius of fifteen miles of the metropolis.

Mr. HENLEY said, that if he thought the proposition of his hon. Friend would do what the Chancellor of the Exchequer said it would do, he would not support it;

but, on the contrary, he thought it would not have such effect. So far as he understood the thing it was this, that no subsequent dealing with the land in question should take place without the consent of the Crown, because the Crown having forestal rights, the Inclosure Commissioners would be very loath, and he believed it would be difficult in law for them to do it, to enclose such land without the consent of the Crown. The consequence would be, that if there were a proper case made out for enclosure, a case which could be defended in that House, the enclosure would take place, and the Crown would get its allotment in place of its right, and that allotment could be turned into money. There would, then, be the great security, that no dealing would take place in the locality referred to—a large portion of the land in which on all hands it was deemed desirable should be kept open—that no dealing with it should take place without the full consent of the Crown. That would be a great security. The right hon. Gentleman opposite shook his head, but he did not think the Inclosure Commissioners, or if they did that the House, would confirm it—frame a provisional order for enclosure without the consent of the Crown.

Sir HENRY WILLOUGHBY said, he could hardly agree with the right hon. Gentleman who had spoken last, for the proposal went to the extent of saying that no sales whatever should take place of forest land within fifteen miles of the metropolis. He would suggest that some qualifying words should be introduced, for he apprehended that what the House meant was, that no sale should take place where the land was for the benefit of the public, but that where the land was not for the benefit of the public it might be sold. But under the present wording it was clear that no sale could take place under any circumstances whatever.

Mr. MALINS said, he heartily concurred in the general proposition of the hon. Member, that a considerable restriction should be placed on the alienation of waste land; still, he could not vote for the Motion as it stood. He agreed with the hon. Member for Maidstone (Mr. Buxton) that the Crown should exercise a discretion in this matter—that it should select certain spots to be kept open, but that other portions might be enclosed with advantage to everybody. He would suggest the withdrawal of the present Motion and that the hon. Member should reintroduce it in a modified form, so as to remove the objection now felt by many Members of the House to the proposition in its present form.

Viscount ENFIELD said, he hoped the hon. Member would not withdraw his Motion. If from past experience they could assume that any discretion would be exercised as to the lands to be enclosed, he would not recommend the hon. Gentleman to persevere. If he were not mistaken, no lands could be enclosed over which rights of common had been exercised for fifty or sixty years, unless by special Act of Parliament; and with regard to Epping Forest, those rights had been enjoyed. In addition, he believed that persons who purchased such lands did so with serious responsibility, because if those lands were parted with without the sanction of an Act of Parliament, the lands might be allotted within twenty years, and the purchasers might suffer. Therefore, upon every ground, whether as regarded the public or individual purchasers, he should support the Motion.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 73; Noes 113: Majority 40.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved,

That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that no sales to facilitate Inclosures be made of Crown Lands or Crown Forestal Rights within fifteen miles of the Metropolis.

AYES.

Bagwell, J.
Baines, E.
Baring, rt. hon. Sir F. T. (Portsmouth)
Beaumont, W. B. (Northumberland, S.)
Beaumont, S. A. (Newc.)
Booth, Sir R. G.
Bouverie, hon. P. P. (Berks)
Bruce, H. A. (Merthyr Tydvil)
Calthorpe, hon. F. H. W. G.
Cardwell, rt. hon. E.
Castlerosse, Viscount
Childers, H. C. E.
Churchill, Lord A. S.
Clive, G. (Hereford)
Craufurd, E. H. J. (Ayr)
Crawford, R. W. (London)
Dalglish, R.
Davie, Sir H. R. F. (Hadd.)
Davie, Col. F. (Barnst.)
Dering, Sir E. C.
Dodson, J. G.
Dunbar, Sir W.
Ewart, J. C. (Liverp.)
Ewing, H. E. Crum-
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C. (Northamp.)
Gladstone, rt. hon. W.
Glyn, G. C. (Kendall)
Glyn, G. G. (Shaftesb.)
Gower, hon. F. L. (Bod.)
Gregson, S.
Grenfell, H. R. (Stoke)

Grey, rt. hon. Sir G. (Morpeth)
Haliburton, T. C.
Headlam, rt. hon. T. E.
Henniker, Lord
Herbert, rt. hon. A. A.
Hodgson, R. (Tynem.)
Hutt, rt. hon. W.
Johnstone, J. J. H. (Dumf.)
Kinglake, J. A. (Roches.)
Leighton, Sir B.
Lewis, rt. hon. Sir G. C.
Lowe, rt. hon. R.
Mackinnon, W. A. (Lymington)
Mackinnon, W. A. (Rye)
Malins, R.
Marshall, W.
Martin, P. W. (Roches.)
Milnes, R. M.
Montgomery, Sir G.
Morgan, O. (Monmouth.)
Nicol, W.
Packe, Col. (Lincoln.S.)
Palmerston, Viscount
Patten, Col. W.
Peel, rt. hon. Sir R. (Tamworth)
Peel, rt. hon. F. (Bury)
Pinney, Col.
Potter, E.
Puller, C. W. G.
Ricardo, O.
Russell, A. (Tavistock)
Sheridan, R. B. (Dorch.)
Spooner, R.
Warner, E.
White, L. (Kiddermin.)
Willoughby, Sir H.
Winnington, Sir T. E.
Wood, W. (London)
Woods, H. (Wigan)
Wyvill, M.

TELLERS.

Mr. Knatchbull-Hugessen,
Mr. Brand

NOES.

Adderley, rt. hon. C. B.
Ayrton, A. S.
Aytoun, R. S.
Bazley, T.
Beecroft, G. S.
Bowyer, Sir G.
Bridges, Sir B. W.
Brooks, R.
Butt, I.
Buxton, C.
Caird, J.
Cairns, Sir H. M'Calmont
Clifford, C. C. (I. W.)
Clifton, Sir R. J.
Cobbett, J. M.
Collins, T.
Cox, W.
Dickson, Colonel
Dillwyn, L. L.
Disraeli, rt. hon. B.
Douglas, Sir. C.
Doulton, F.
Duff, M. E. G. (Elgin)
Dunne, Col. (Queen's Co.)
Egerton, E. C. (Macclesfield)
Elphinstone, Sir J. D.
Enfield, Viscount
Ewart, W. (Dumfries, &c.)
Forster, W. E. (Bradford)
French, Colonel
Gard, R. S.
Garnett, W. J.
George, J.
Goldsmid, Sir. F. H.
Gordon, C. W.
Gore, J. R. O. (Salop N.)
Gore, W. R. O. (Leitrim)
Gray, Capt. (Bolton)
Griffith, C. D.
Hadfield, G.
Hamilton, Lord Claud (Tyrone)
Hamilton, Major (Linlithgow)
Hanbury, R.
Hardy, G. (Leominster)
Hay, Sir J. C. D.
Henley, rt. hon. J. W.
Hennessy, J. P.
Hill, hon. R. C.
Hopwood, J. T.
Ingham, R.
Kinnaird, hon. A. F.
Knatchbull, W. F. (Somerset E.)
Laird, J. (Birkenhead)
Langton, W. H. G.
Lawson, W.
Leader, N. P.
Lennox, Lord G. G. (Lym.)
Lewis, H. (Marylebone)
Lindsay, W. S. (Sund.)
Locke, J.
Longfield, R.
Maguire, J. F.
Miles, Sir W.
Miller, W. (Leith)
Mills, J. R. (Wycombe)
Montagu, Lord R.
Morris, D.
Mundy, W.
Mure, D.
Murray, W.
North, F. (Hastings)
Northcote, Sir S. H.
O'Conor Don, The
Packe, C. W. (Leic. S.)
Paget, C. (Nottingham)
Pakington, rt. hon. Sir J.
Palk, Sir L.
Parker, Major W.
Paull, H.
Peel, rt. hon. Gen. (Huntingdon)
Powell, F. S. (Cam. Bo.)
Ridley, Sir M. W.
Robertson, H. (Shrews.)
Roebuck, J. A.
Rowley, hon. R. T.
Russell, H. (Beds)
Sidney, T.
Smith, J. B. (Stockport)
Smith, A. (Truro)
Smollett, P. B.
Stanley, Lord (King's Lynn)
Stansfeld, J.
Steel, J.
Stuart, Col. (Cardiff)
Stracey, Sir H.
Sykes, Col. W. H.
Taylor, Col. (Dublin C.)
Taylor, P. A. (Leicest.)
Thynne, Lord E. (Frome)
Tite, W.
Torrens, R.
Trefusis, hon. C. H. R.
Trelawny, Sir J. S.
Turner, C. (Lancas. S.)
Upton, hon. Gen.
Walcott, Admiral
Walsh, Sir J.
Walter, J.
Weguelin, T. M.
White, J. (Brighton)
Williams, W. (Lambeth)
Wyld, J.
Wynn, C. W. W. (Mont.)

TELLERS.

Mr. Peacocke
Captain Jervis

SUPPLY.

Committee *deferred* till *Monday* next.

POST OFFICE SAVINGS BANKS.

CONSIDERED IN COMMITTEE.

The House, according to Order, resolved itself into a Committee on Post Office and other Savings Banks.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: The object of my proposal that the House should go into Committee is to obtain a preliminary Resolution for the purpose of enabling me to bring in a Bill which relates to Post Office Savings Banks. It is a Bill which touches, it is true, in one or two particulars upon the powers of other savings banks, but simply in relation to the transactions between both classes of savings banks. Nothing whatever is done by it with respect to the management of the old savings banks, or the management of the funds held on behalf of the old savings banks. For that reason I propose that it should be called the Post Office Savings Banks Bill. The Resolution which I shall move shall be in conformity with the terms in which the Committee was appointed, and will be somewhat of a general character, and will not refer to some portions of the Bill. The Bill is a short and simple one, and I will state to the Committee in two or three minutes what will be the principal provisions of the Bill. At present there is no legal method of enabling old savings banks to wind up. A certain portion of them have expressed, and—so far as dependent upon the trustees and managers—have acted upon their desire to wind up. Now, I do not think that the provisions for enabling the old savings banks to be wound up are likely to be very extensively acted upon. We have had now some experience on this point; and though a considerable number of the old savings banks have done what in them lay to wind up their transactions and hand over their deposits to the Post Office savings banks, yet when we look at the number and degree of development which those savings banks have reached, the number which has done so is comparatively trifling. There are about 600 savings banks in the country, and of these between thirty and forty had desired to wind up their affairs. But the Committee will be able to judge what is the comparatively small scale of the transactions of the great bulk of those savings banks when I state that the average amount of deposits in those savings banks which have been desirous of winding up is only about £7,000; whereas the average of deposits in the remaining savings banks, nearly 600 in number, is nearly £70,000. The Committee, therefore, will see that what we have to provide for is not the likelihood of any general, sweeping, or rapid change from one class of savings banks to the other, but the desire which has been, perhaps naturally and reasonably, expressed by the managers of a certain portion of savings banks where their sphere of action has not been an extended one, to divest themselves of their labours and responsibility, and to hand over the whole of their cash and assets to the Post Office savings banks and the Commissioners for the Reduction of the National Debt, subject to all claims of depositors upon that cash and those assets. That is the principal legislative object of the Bill which I shall seek to introduce, if this Resolution is accepted by the House.

There is in view also another legislative object—one which involves more details—but its general purpose is this:—The law has very justly imposed somewhat stringent restraints upon the withdrawal of deposits lodged in savings banks on behalf of minors, especially of minors under seven years of age; and in some cases where the Legislature has not by any direct enactment taken that course, the same result has been brought about by laws which have from time to time been framed by the managers of the different savings banks, which have received the assent and approval of the Commissioners for the Reduction of the National Debt, and have thereby acquired the force of law. These restraints have placed the accounts of minors under seven years of age in such a position that a transfer of their accounts to the Post Office savings banks cannot upon any conditions be effected. Now, however desirable and wise it may be to impose stringent limitations upon the withdrawal of their deposits or upon dealing with their accounts while they are at that tender age, it is right that some means should be provided for allowing the transfer of their deposits by a transfer certificate to the Post Office savings banks. A great number of applications have been addressed to us by various parties—for instance, by trustees of existing savings banks and by the guardians of children—and representations have been made to us signifying the desire that those powers should be given, and the object is so obviously reasonable—though the mode of proceeding should be carefully considered—that I do not conceive there can be any difference of opinion on it. I have a number of letters containing such applications made to us. For example, in many cases the parents of children apply to have the accounts of their children transferred from the one savings bank to the other, but cannot effect it. I shall propose in the Bill that powers for this purpose shall be given, and that reciprocal powers shall also be given for transferring in like manner deposits from Post Office savings banks to the old savings banks whenever it may be desirable. The other important point contained in the Bill is one on which we propose the adoption of the following Resolution, namely:—

> "That it is expedient to amend the law relating to Post Office Savings Banks, and to grant powers for the conversion of certain perpetual Government annuities, standing in the names f the Commissioners for the reduction of the National Debt, on account of Post Office Savings Banks, into certain other stock and annuities."

I will endeavour to explain briefly the object of this Resolution. It relates to a subject of great importance, though it deals within a very limited area. As far as my experience has gone, either in the office I have the honour to hold or elsewhere, there appears to me to be on the part of the Members of this House, and likewise on the part of the public, a very general desire to give further extension—indeed, a great further extension, if possible—to the principle which long has been introduced into our law, and the working of which, as far as it goes, is eminently salutary—I mean the principle and practice of converting the perpetual annuities, of which the National Debt mainly consists, into terminable annuities either for lives or for terms of years. The extent to which we are at present able to operate on that principle is as follows:—There are certain annuities existing which terminate in 1867; there are large annuities payable at the Bank of England, and there are certain other annuities, principally such as were created by my right hon. Friend the Secretary of War during the course of the late war with Russia. To those annuities so created by him there have been added during the two or three last years the annuities created on account of the Fortifications, and likewise a small amount of public annuities now in the market on account of the Red Sea Telegraph, which is, however, a very small amount indeed. Besides these particular annuities—which are public annuities, expiring at certain fixed dates—there is in operation a system by which, partly and mainly through the National Debt Office, and partially and to a limited degree through a portion of the savings banks of the country, annuities may be purchased on good terms by individuals either for their own lives, or for the lives of certain other persons, or for terms of years. That is the extent to which that system is carried, quite apart from the other annuities of which I have spoken, terminating in a lump, so to speak, at certain dates. It may be said roughly to amount to the conversion of about £1,000,000 of stock per annum. That is not a very large amount, and it is constantly asked why we do not operate more largely for the reduction of the National Debt by the conversion of perpetual into terminable annuities. The answer is, that annuities are a commodity that can be sold favourably in the market under certain circumstances, and to a certain extent, but they are a commodity of which the general market entirely refuses to receive more than a very limited quantity, except on terms so disadvantageous to the public that the Government would not recommend the operation, nor would Parliament be disposed to authorize it. But it appears to us there is a mode perfectly safe and simple by which we can give expansion to this valuable principle of converting perpetual into terminable annuities by operating on the funds that come into our hands in respect to the Post Office savings banks. I will not ask the Committee for an opinion, nor give an opinion on the part of the Government, respecting the application of the principle to the larger amount of public money which we hold on the part of the old savings banks. In dealing with the funds we must bear in mind—though it is a contingency unlikely to occur—that we might be compelled, in order to meet the claims of depositors, to go largely into the market as sellers of stock. It follows, therefore, that we must reserve in our own hands means ample enough to meet any such possible though not probable demand. Therefore I would not venture, small as comparatively are the funds held on account of Post Office savings banks—and it is almost certain from all indications that there will be an influx and not an efflux of money—to ask the House to take a general power for converting the whole of that property into annuities. What I propose to do is this—to convert the present annuities that are perpetual into new perpetual annuities of a lower denomination, and taking the difference between the value of the old denomination and the new one to convert that amount into terminable annuities. Suppose, for example, there is a sum of £100,000 3½ per cent stock; we propose to take powers to convert that £100,000 3½ per cent stock into £100,000 2½ per cent stock. The consequence will be that we shall always have a marketable commodity on hand; and 2½ per cent, in consequence of its very low denomination, is a stock that usually commands a very good price in the market. Then what becomes of the difference between the £2 10*s.* and the £3 10*s.* stock? That I propose to take powers to convert into terminable annuities. It seems that the sums held by the Post Office savings banks—though large considering the time the system has been in operation—are at present but very small. They amount to something between £1,500,000 and £2,000,000. Anything, therefore, that can be done at the present moment must be done on a small scale, but it is quite possible — at least I will not say it is unlikely — that as the deposits in those banks become larger, the scale on which the principle may be applied will become more extended. I hope the Committee will understand what the effect will be of the proposed operation. The principle of the Resolution I propose is that a limited power should be taken to convert perpetual annuities into terminable annuities. That may be done either by converting a portion entirely into terminable annuities, by converting the whole, or by converting part into perpetual annuities of a lower denomination than they now hold, and at the same time converting the difference between the lower and the higher denomination into a terminable annuity. The effect of the latter course will be that, without encountering the inconvenience of having to sell those terminable annuities in the general market, which is not adapted to receive them, we shall be able to act more extensively, and by adding by very gentle degrees to the present annual charge, borne on account of the interest of the debt, to gradually reduce the debt itself at a future period. Those annuities would, in point of fact, be very convenient to hold on the part of the Post Office savings banks, and eminently desirable securities, though not desirable securities to carry into the general market. That is the only explanation that I can offer at present in proposing a Resolution of this general character. Probably it is the desire of the Committee to see the Bill in print, and I shall be able to lay it on the table on the day after this Committee shall have reported. The mode in which the provisions I have sketched will be carried into effect will be quite plain. The right hon. Gentleman concluded by moving a Resolution as follows:—

> "That it is expedient to amend the Law relating to Post Office Savings Banks, and to grant powers for the conversion of certain perpetual Government Annuities standing in the names of the Commissioners for the Reduction of the National Debt, on account of Post Office Savings Banks, into certain other Stocks and Annuities."

SIR STAFFORD NORTHCOTE said, he did not quite understand the right hon. Gentleman on one point. Was it intended by the Bill to give the option of converting a portion into terminable annuities in either one or of both the ways mentioned; or would the Bill prescribe which of the two ways were to be adopted?

THE CHANCELLOR OF THE EXCHEQUER said, that what he meant to have done was to describe the scope of the Resolutions. He asked the Committee to assent to the principle of conversion in some form. The form he thought to be the safest was that of converting into terminable annuities only the difference between the lower and the higher denominations. That, therefore, was the form in which he should propose to place it in the Bill; but the other mode would be compatible with the principle of the Resolution.

SIR HENRY WILLOUGHBY said, he had more than once called attention to the extreme inconvenience of the House being called upon suddenly to express opinions on subjects which were certainly more or less complicated, but with which the right hon. Gentleman might be familiar. They had had only ten days' notice, and the notice was for a Committee on Post Office savings banks. True, the words "other savings banks" were introduced, and that was all there was to lead them to suppose that a measure might be introduced which would apply to the old savings banks. The scheme of the right hon. Gentleman might be good or bad, but it was one on which the Committee could give no opinion at that moment. Certainly no one would have guessed that the first measure relating to Post Office savings banks would be a provision to wind up the old savings banks. He was aware that there might be some small banks which might desire to avail themselves of such an opportunity; but hon. Gentlemen would rather have liked to know that such a scheme was in the mind of the right hon. Gentleman. He should like to be informed whether the right hon. Gentleman proposed to give to the old savings banks whatever powers of transfer he meant to confer upon the Post Office savings banks. [The CHANCELLOR of the EXCHEQUER: Minus the accounts.] Of the proposition of the right hon. Gentleman in a financial point of view he should not say a word, although he thought it looked somewhat like a favorite scheme of his of trying to get 3½ per cent for 2½ per cent stock. Whatever, he might add, was the value of the terminable annuities, there was one difficulty connected with them, which was the operation of the income tax.

MR. AYRTON said, that if he had understood the proposition of the right hon. Gentleman aright, it was this—that £100 of 3 per cent stock would be converted into £100 2½ per cent stock and a certain amount of terminable annuities, which would cease at a fixed date, when only the 2½ per cent stock would be left. When the terminable annuity ceased, would not the capital of the Post Office savings banks be diminished to that extent? How was the capital fund to be kept intact?

THE CHANCELLOR OF THE EXCHEQUER said, he did not think the hon. Gentleman had correctly gathered what would be the effect of this measure. They had entirely cleared off, in the case of the Post Office savings banks, those ambiguities which attached to the relations of the different parties concerned in the old savings banks. In the case of the Post Office savings banks there could be no doubt that both in law and in fact the State was simply a banker, stipulating to pay a certain fixed interest for the deposits of the public, and the public understood that the credit and the property of the country were their security for the due payment of that interest. That being the case, the public neither knew nor cared what was done with the money while it was in the hands of the Government; for if the system was an extravagant one, they did not suffer; and if, on the contrary, it was an economical and a wise one, they gained nothing. As to whether the Post Office savings bank system was a paying system, he should not enter into that question, as the materials for coming to a conclusion were not then before the House. But while not prepared to assert anything positively, he believed, and the very diligent and intelligent public officers who had been engaged in developing this system, fully believed, that those banks would not cost the country one shilling. Even supposing the case as put by the hon. Member, that there was a conversion into a perpetual stock of a lower denomination, which no doubt would be of less value in the market, the difference came to be this—that instead of receiving a fixed sum from year to year in perpetuity of a certain amount, they would receive two things: one, a fixed sum in perpetuity of a lower amount, and therefore representing a smaller capital; and the other, a circulating system which, from year to year, brought back portions of the capital, along with the annual interest. The portions of the capital so brought back, with other deposit monies, would be matter for annual re-investment; and that was the mode in which the system would work. It was highly important that the Post Office savings banks should be a self-supporting system; and he was very hopeful that it would be able to stand the test of the searching examination which the House would make in due time.

In reply to Mr. Weguelin,

The CHANCELLOR of the EXCHEQUER said, that the process would be simply this—taking the smallest example of a particular annuity of £3 per cent, they would cancel that annuity and create in lieu of it a perpetual annuity of 50*s.* per cent, converting the other 10*s.* per centum into an annuity terminable at a fixed period, say, for example, 1885. With respect to the rate of interest, that was a question which the Government were constantly called upon to consider with regard to fortification and other annuities. Their regular practice was to consult the financial officers attached to the Government, and also the Governor and Deputy Governor of the Bank of England; and there was never any difficulty as to the rate of interest, which was always made rather favourable to the purchaser than otherwise, and would therefore be favourable to the buyer of the annuity in the present case.

Mr. HENLEY said, that it was not his intention to express any opinion upon the scheme, beyond that he understood the right hon. Gentleman to propose that there should be a certain number of perpetual annuities in the hands of the Post Office savings banks, but the House should remember that the sum of which he spoke would be still due to the country in hard money, though it would bear less interest. For his own part, he must say the scheme certainly seemed to him like paying the interest in two different ways, which was an odd method of reducing a debt.

Motion *agreed to.*

Resolved,

That it is expedient to amend the Law relating to Post Office Savings Banks, and to grant powers for the conversion of certain perpetual Government Annuities standing in the names of the Commissioners for the Reduction of the National Debt, on account of Post Office Savings Banks, into certain other Stocks and Annuities.

Resolution to be reported on *Monday* next.

CUSTOMS ACTS (TOBACCO DUTIES).

COMMITTEE.

Order of the Day for the House to go into Committee on Customs Acts (Tobacco Duties) read.

Colonel DICKSON said, he wished to ask the Chancellor of the Exchequer, whether in reducing the duty on tobacco he would allow a drawback to merchants who had paid duty on stock in hand? They had heard already of the inconvenience of sudden changes. He did not wish to make any remarks about the reduction itself; but those interested, who had just paid a large amount of duty, had some grounds to complain of the suddenness of the reduction. On former occasions, when such changes had been made, large amounts had been remitted, both in respect of wine duties and hop duties; and whilst the amount of tobacco duties paid within the last few days could not be of much importance to the Chancellor of the Exchequer, the sums were serious items to the merchants, on whose behalf he asked the question.

THE CHANCELLOR OF THE EXCHEQUER said that in accordance with a rule which had applied to the reductions of Customs duties for the last nineteen years, and from which there had during that time been no deviation, it was not the intention of the Government to propose the allowance of any drawback in respect of the duty paid upon the importation of manufactured tobacco. If they were to do so, they would depart from an established principle, and involve themselves in the greatest inconvenience.

House in Committee according to Order.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER said, that the Resolutions which he was about to move had been laid upon the table, and had, in conformity with recent practice, been printed. With regard to the first of those Resolutions he wished to say that he placed it upon the paper rather for the information of the House and the public than because there way any necessity for so doing. It had been found convenient in the case of reduction of duty, in order to avoid too great suddenness of procedure, to print at the very first stage of the business the rate to which it was proposed to reduce the duty; but, inasmuch as the duties mentioned in the first Resolution were all of them lower than the existing ones, it would have been perfectly competent for him or any other Member of the House to have at once introduced a Bill to substitute them for those now in force. The Resolution was not one which would take immediate effect; on the contrary, it was a matter with regard to which it was desirable that full time should be given to the House and the trade for the consideration of the subject. The question of the duties upon manufactured tobacco was a very singular one. At present they gave what was called a monopoly to the home manufacturer; that was to say, that with the exception of certain articles which were purely articles of luxury, and could afford to pay the high duty, the duty was such as to amount to a total exclusion of foreign competition. Therefore, the duties upon manufactured tobacco as they stood, might be said to constitute the only relic of the system which was once the ruling principle of our tariff. It might, perhaps, seem strange that these duties should, for such a length of time, have escaped revision. They had not been maintained on account of any conviction on the part of this, or, as far as he knew, of any Government, that considerations of justice to the tobacco manufacturers required their maintenance. On the contrary, the obvious dictates of justice would appear, at least presumably, to be that the trade in manufactured tobacco and in manufacturing tobacco, should be placed upon the same footing as all other manufactures in this country—that was to say, that they should upon as fair a footing as they could devise, be subjected to competition with the producers of other nations. The reason why no proposal had up to that time been made to reduce the duty upon manufactured tobacco had been the grave nature of the difficulties which had to be encountered in securing the interests of the revenue. It was only after a very mature and careful consideration of the regulations proper to be adopted that the Government had at length been able to arrive at what they thought a solution of the difficulty, and to propose to the House the removal of what stood at present as a very gross and in principle a very indefensible anomaly in the tariff. One portion of the regulations involved a system of manufacturing certain descriptions of tobacco in bond—"Cavendish or Negro-head,"—and that was the enactment the nature of which had required him, instead of coming before the House with a Bill which would, perhaps, have been more for the general convenience, to proceed by way of preliminary Resolution. The Resolutions could not be understood except in connection with the provisions of the Bill, and particularly the bonding provisions. As far as he was aware, it appeared to be the general feeling of the trade that it was not possible longer to maintain the duties which were now in force. He did not at that time ask the Committee to do more than to assent to the general principle that those prohibitory duties, as he might call them, should be reduced. When they came to consider the particular kind of reduction, they were involved in mysteries of a trade very difficult to understand; but he might say in general terms that they had thought it necessary to adopt a peculiar system with regard to a kind of tobacco that was called Cavendish or Negro-head. That was a description of tobacco which was very popular in some parts of the country, and which formed a considerable portion of that which was at present smuggled. The Government had, therefore, had to ask themselves whether in endeavouring to get rid of the prohibitory rate, and substituting a duty which would admit of the introduction of that article from abroad, they should allow our manufacturers the free use of duty-paid materials without supervision for the purpose of making cavendish or negro-head. Unfortunately, though, as he had said, the present duties had the effect of giving a monopoly to the home producer, in this one not unimportant point they gave a monopoly to the foreign producer, because the preparation of sweetened cavendish or negro-head was forbidden to the manufacturer at home. Its importation from abroad was likewise forbidden, but there the prohibition did not take practical effect, and a considerable quantity of this tobacco found its way into consumption. They had, therefore, thought it essential, in endeavouring to get rid of smuggling, and to establish a fair rate of duty, to attempt to afford to the British manufacturer some means of entering into this competition which he did not now enjoy. There were two modes which might have been adopted—one the free use of duty-paid articles, and the other the power to work on bond. The first of these was upon general grounds the more desirable; but he was bound to say, that after consulting fully with the authorities of the Revenue Department, he could not satisfy his mind, nor could those who advised him satisfy their minds, that they could establish enactments permitting the use of duty-paid leaf tobacco for the purpose of manufacturing cavendish or negro-head without very serious danger to an important branch of the revenue. On that account he proposed, as far as that description of manufacture was concerned, to establish a system of manufacture in bond. With a regard to other descriptions of tobacco, roll tobacco of all descriptions, cut or shag tobacco, cigars, and snuff, the manufacture would continue to go on as at present. The manufacturer would continue to use duty-paid materials, and the only difference would be that the foreign article would be introduced at a rate of duty which, as the Government thought, would amount to a fair and full equivalent for both the direct and the indirect charge to which the British manufacturer was subject. Such was a very general outline of the principles of the measure which he proposed to introduce, the reasons for which did not require to be dilated upon. They were these three. In the first place, the Government aimed at applying to the manufacture of tobacco the principle of competition—competition from abroad as well as at home—which had been applied with such salutary effect to all other manufactures. In the second place, they hoped to effect a diminution of smuggling; and in the third place—though that was not the main object of the proposal, and the Government were not prepared to submit any particular estimate—they believed the results would without doubt be of a beneficial character to the revenue. He hoped he had said enough to recommend that general outline of the measure to the adoption of the Committee, and all that he then asked was a provisional assent for the purpose of enabling him to introduce the Bill. He begged it might be well understood that no practical effect upon the duties would result from passing the Resolution that night; the consideration of the Bill in Committee was the period when they would really have to settle the amount of the duties. Although he did not apprehend that any would be required, he held himself at liberty to introduce such modifications as might hereafter prove to be necessary into the proposal he had now submitted on the part of the Government. It had not been possible to have the advantage of free and direct communication with the trade before introducing the Resolution; but before the final assent of the House was asked to the scheme, the opinions of the trade would be fully and directly elicited. The right hon. Gentleman then moved the following Resolutions:—

That, in lieu of the Duties of Customs now charged upon the several kinds of Manufactured Tobacco under mentioned, the following Duties shall be charged and paid thereon upon importation into Great Britain and Ireland:

		s.	*d.*
Segars	the lb.	5	0
Snuff	the lb.	3	9
Other Manufactured Tobacco .	the lb.	4	0

That Unmanufactured Tobacco warehoused in any warehouse approved for security of Duties of

Customs may, in such warehouse, be manufactured or converted into the articles denominated Cavendish or Negro-head Tobacco; and upon every pound thereof produced by such manufacture or conversion there shall be charged and paid on the delivery thereof for home consumption the Customs Duty of . . . 3*s.* 8*d.*

SIR GEORGE BOWYER said, that so far as he understood, the tobacco trade did not claim to be exempt from the principle of unrestricted competition applying to all other manufactures; but they felt that the change contemplated by the right hon. Gentleman placed them, in some respects, in an unfair position. They had to pay duty upon the tobacco in a damp state which was imported for the manufacture of cigars, and therefore weighed more than when it was dry, and they had also to pay duty upon stalks which were not used, and were mere refuse. They were thus placed at considerable disadvantage towards the foreign manufacturers, who were at liberty to use only the most favourable portions of the leaf. Under these circumstances, he hoped the right hon. Gentleman would allow cigars, as well as cavendish and negro-head, to be made in bond. There was no argument in favour of the regulation in the one case which did not apply with equal force in the other, and therefore he trusted the right hon. Gentleman would apply the same rule to both.

MR. CRAWFORD said, he had received numerous representations from his constituents on the subject of these Resolutions. But as the right hon. Gentleman was not disposed to press them forward unduly or without listening patiently to the representations of the trade, he thought they might rest satisfied that no improper interference with their interests was intended. As no drawback was to be allowed, he hoped sufficient time would be afforded to the traders for working off the stocks they now had in hand before the Resolutions were put in force.

MR. AYRTON said, he had been beset with representations from his constituents, among whom were some thousands of persons engaged in the manufacture of cigars and tobacco, to the effect that the proposition of the right hon. Gentleman the Chancellor of the Exchequer was not based on an accurate appreciation of the circumstances of the manufacture, and was likely to bring great distress and ruin on a large body of persons. No doubt, these cries of apprehended ruin were very general whenever changes were proposed, but experience showed that these cries were not always raised without substantial cause. It was to be regretted that the Chancellor of the Exchequer, through the occurrence of circumstances of a painful nature, had not the opportunity of penetrating the mysteries of the tobacco trade before he brought forward his Resolutions. It was idle to talk of the tobacco manufacture coming within the principles of free trade, seeing it was an established law in this country that nobody was to grow tobacco. The tobacco manufacture and the duties imposed upon it were, according to the view which might be taken of smoking, either a vehicle for getting money out of the pockets of foolish men, or else a fine on the enjoyment of a luxury. The Chancellor of the Exchequer had moved these Resolutions with certain qualifications, and he now asked the House to suspend its judgment with regard to them. The leading manufacturers of tobacco were satisfied that the right hon. Gentleman had been misinformed; they knew the extent of the error under which he was labouring, and they were prepared to clear it up, and, if necessary, to go before a Select Committee. If the Chancellor of the Exchequer made any change in the existing laws with regard to tobacco, he would have to make many others; and he might find it impossible to maintain the superstructure of Customs regulations in relation to that article.

MR. W. WILLIAMS said, he was always glad to welcome a reduction of taxation, but there were many other articles upon which a reduction of duty would have been attended with greater benefits. For instance, he wished the right. hon. Gentleman, instead of lessening the duty on cigars, had reduced that upon unmanufactured tobacco. It could scarcely be credited that the duty on cigars consumed by the wealthier classes of society was 35 per cent, while that on unmanufactured tobacco, consumed by the great mass of the population, was nearly 500 per cent.

MR. LOCKE said, he regretted that the Chancellor of the Exchequer had passed by entirely the question of reducing the duty on the tobacco consumed by the working classes, to whom it had now become an absolute necessity, as most of them smoked and not a few chewed. He hoped that the right hon. Gentleman would consider the expediency of reducing the duty on unmanufactured tobacco. The effect of the heavy duty was that it was brought in in the very lightest form. It was then watered and sugared and adulterated in all sorts of ways, and all of it could be bought for less than the duty. He was convinced that by reducing the duty on the unmanufactured article the revenue would be largely benefited, and adulteration would be checked.

MR. ROEBUCK observed, that the Chancellor of the Exchequer appeared to be in a dilemma, for, while one side urged him to consider the case of the cigar-smokers, another urged upon him the case of the consumers of unmanufactured tobacco. For his part, he had no sympathy with either one side or the other; and he heartily wished there was no tobacco grown in the world.

SIR STAFFORD NORTHCOTE said, he considered, that as the question had been raised, there should be no delay in its settlement, lest the revenue should suffer; for if there was a prospect of the duty on cigars being diminished, nobody would be in a hurry to take them out of bond. He wished, therefore, to ask his right hon. Friend for explanation as to what the usual course was when the Committee had passed a Resolution that certain duties should be levied and no time was fixed. He (Sir Stafford Northcote) did not see why the Chancellor of the Exchequer should not have consulted the trade before he brought forward these Resolutions; the only reason, perhaps, why his right hon. Friend had not done so was that he wished to submit the matter first to the House of Commons, though it was difficult to see the use of attempting to keep the matter secret. He trusted the Chancellor of the Exchequer would take care to provide such arrangements that the revenue should not be diminished. There was another point on which he should like some explanation—he meant the reasons why the Chancellor of the Exchequer objected to the same privilege being granted to the cigar-maker as to the manufacturer of cavendish or negro-head tobacco, of manufacturing in bond. He wanted to know why, if the privilege were given to the one class of manufacturers, it should be withheld from the other? It would be a great advantage to the revenue as well as to the manufacturers, if the extension of the privilege were granted. If there were any special objections, the Committee ought to be told what they were. He should like to know whether the Government had authoritatively decided upon the subject.

THE CHANCELLOR OF THE EXCHEQUER said, that the points raised during the conversation on the subject he had introduced called for but a few observations from him. He had listened with great regret to the speech of the hon. Member for the Tower Hamlets (Mr. Ayrton). The hon. Gentleman had shown the cloven foot at once, and it was obvious that his idea was that the present duties should be retained in force. With reference to his statement that there already existed free competition between the tobacco manufacturers of this country, he would only say that when the monopoly in corn was attacked, they were told that there was free competition between agriculturists. The day for fighting that battle had passed away. The hon. and learned Member for Southwark (Mr. Locke) said that a reduction of the duty on unmanufactured tobacco would be followed by an increase of revenue. That, however, was one of the largest questions of revenue which could be raised, and could hardly be dealt with in a measure such as this, which was a mere measure of trade. Reduction of duty and increase of revenue did not invariably go together; and, from the inquiries he had made on the subject, he was convinced that any material reduction of the duty on unmanufactured tobacco would lead to a very large reduction of revenue. Practically, the question which the Committee would have to consider, would be whether they would select that article in preference to other articles. Those selected would, he believed, yield additional revenue, and, to a great extent, prevent smuggling. With reference to the possible loss of duty from the circumstance that no date was named from which the reduction would take effect, he believed that vast as were the payments on unmanufactured tobacco, the payments on manufactured tobacco were extremely small, and a week or a fortnight was of very little consequence. The effect of naming no specific time in the Resolution was that a Bill similar in form would be introduced, and the reduction would take place only when the Royal assent was given to the Bill. It was desirable that they should not proceed with precipitancy; but at the same time they ought to deal with the proposition without undue delay. With regard to the manufacturers, he merely desired to give them such time as might be necessary to enable them to bring their views fully before the Government and the House. He should himself think that a very short time would suffice for that purpose; and if the House went into Committee upon the Bill in a fortnight, they might within that period very well dispose of all the questions that might be raised. Then there was the practical question put by his hon. Friend as to the manufacture of cigars in bond. It must be borne in mind that the manufacture in bond was at best a very defective, clumsy, and costly expedient. It was, however, better sometimes to permit such manufacture than to prohibit the trade altogether; but the privilege given to manufacturers was attended by various drawbacks. The enjoyment of it was absolutely limited to a very few spots where the customs had considerable establishments which enabled them to conduct the necessary supervision. The opinion of the Government was that there was no sufficient reason for granting power to manufacture cigars in bond; but when he was asked whether that was an irrevocable opinion and was an essential part of the proposition, most certainly he thought that all such matters were perfectly open for discussion. The considerations by which they were guided were considerations in which all took a common interest—namely, a desire to reconcile as well as they could the several interests of the consumer, the manufacturer, and the revenue. Therefore, he held himself entirely open to examine further the extension of the bonding privilege to other places than he had named; but he was bound to say, that as far as his investigations had hitherto gone, he was not aware of any sufficient reasons why it should be so extended.

1. *Resolved,*

That, in lieu of the Duties of Customs now charged upon the several kinds of Manufactured Tobacco under mentioned, the following Duties shall be charged and paid thereon upon importation into Great Britain and Ireland:

		s.	*d.*
Segars	the lb.	5	0
Snuff	the lb.	3	9
Other Manufactured Tobacco .	the lb.	4	0

2. *Resolved,*

That Unmanufactured Tobacco warehoused in any warehouse approved for security of Duties of Customs may, in such warehouse, be manufactured or converted into the articles denominated Cavendish or Negro-head Tobacco; and upon every pound thereof produced by such manufacture or conversion there shall be charged and paid on the delivery thereof for home consumption the Customs Duty of . . . 3*s.* 8*d.*

Resolutions to be reported on *Monday* next.

DRAINAGE (IRELAND) [STAMPS].

Drainage (Ireland) [Stamps], — *considered* in Committee :—

(In the Committee.)

Resolved,

That every Debenture granted under the provisions of any Act of the present Session relating to the Drainage of Land in Ireland, and every Assignment and Transfer thereof, shall be chargeable with the Stamp Duty as a Bond for the like amount, and the Assignment and Transfer thereof, are by the Laws in force subject or liable to respectively.

Resolution to be reported on *Monday* next.

INNKEEPERS' LIABILITY.

LEAVE. FIRST READING.

MR. P. W. MARTIN said, he rose to move for leave to introduce a Bill to amend the Law respecting the Liability of Innkeepers, and to prevent certain frauds upon them. As he did not anticipate any opposition to the Motion, he would content himself by saying that the object of the measure was to deal with a serious and growing fraud upon that class of persons.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. WYKEHAM MARTIN, Mr. GRANT DUFF, and Mr. HUNT.

Bill *presented,* and read 1°. [Bill 18.]

MUNICIPAL ELECTIONS.

LEAVE. FIRST READING.

MR. AUGUSTUS SMITH said, he wished to move for leave to bring in a Bill to amend the mode of taking Votes at Municipal Elections. The object of the measure was to remedy an increasing evil which was experienced at these elections throughout the country.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. AUGUSTUS SMITH, Mr. COX, and Mr. DILLWYN.

Bill *presented,* and read 1°. [Bill 19.]

House adjourned at a quarter after Seven o'clock till Monday next.

HOUSE OF LORDS,

Mondaay, February 16, 1863.

MINUTES.]—PUBLIC BILLS.—1ª—English Church Services in Wales [H.L.], (No 7.)

PUBLIC BUSINESS—BRAZIL.

THE EARL OF **DERBY**: A night or two ago a noble Friend of mine (the Earl of Powis) asked the noble Earl the President of the Council, what measures would be brought forward in this House before Easter. The noble Earl was not then in a position to give a definite aaswer, but he promised that in a short time he would give a list of those important measures—dimly shadowed forth in the Royal Speech—which were likely to occupy the attention of this House before Easter. I should not venture to press such a question if there appeared to be any preparation making, but I will make a much more modest inquiry. I will ask whether it is the intention of the Government to bring forward any measures in this House either before or after Easter? If the President of the Council would give us the slightest indication of the measures which are likely to come before us, it would be much to the convenience of your Lordships, who come down night after night for the purpose of doing nothing. If the noble Earl the Secretary of State for Foreign Affairs had been in his place, I would also have asked him how soon we are likely to see the papers connected with recent affairs in Brazil, which very deservedly and very necessarily have excited a great deal of public attention. In the noble Earl's absence, I will not ask the Government for any expression of opinion on the subject; but I hope that when the papers are produced, the Government will be able to confute the impression which has been raised by the papers published by the Brazilian Government—that in the course he has pursued, in the demands he has made, in the manner of making them, and in the means employed to enforce them, Mr. Christie, our Minister, has acted under their authority and instructions. I hope the Government will be able to show that that is not the case; for certainly more unjustifiable proceedings never were taken by any representative of the Crown against a friendly Government than appear to have been taken by Mr. Christie, and I trust we shall hear that they have been disapproved by Her Majesty's Government.

EARL **GRANVILLE**: I am afraid it is not at all a novel thing for your Lordships to be without much business at this period of the Session, and it certainly is not anything to be wondered at. I think I have heard the noble Earl himself lament the same fact, and state how great were the difficulties in introducing measures in your Lordships' House so early in the Session. My noble Friend near me (Lord Stanley of Alderley) has a Bill prepared on a subject in which the noble Earl himself took great interest last Session—the prevention of the pollution of rivers by noxious gases and other chemical ingredients, and it will be brought forward immediately. With regard to the papers inquired for by the noble Earl, the Foreign Secretary is not present, but I know that they are in course of preparation, and will be laid before Parliament immediately.

THE EARL OF **DERBY** was glad to hear that it was intended to bring forward a Bill on this subject; but he wished to know whether it was intended to carry out all the recommendations of the Committee over which he had the honour to preside? It appeared from the noble Earl's statement that it was confined only to the injury done to rivers by noxious gases, although the evidence taken before the Committee last year referred in a great measure to the injury done to the surrounding country by noxious vapours.

LORD **STANLEY OF ALDERLEY** said, that the Bill was limited to alkali works. It had been shown last year that it would be easy to provide a remedy against their evil effects, and the proprietors generally were not indisposed to accept regulations for the purpose.

THE EARL OF **DERBY** recommended that the Government should take into their consideration the general state of the law of nuisances, which had been shown to be very conflicting, and which greatly required amendment and consolidation.

LORD **STANLEY OF ALDERLEY** said, the Bill was confined to the questions submitted to the Committee of last year.

ENGLISH CHURCH SERVICES IN WALES BILL [H.L.]

A Bill to empower the Bishops of Welsh Dioceses to facilitate the making Provision for English Services in certain Parishes in Wales—Was *presented* by The Bishop of Bangor; read 1ª; to be *printed;* and to be read 2ª on *Tuesday* the 24*th Instant.* (No. 7.)

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, February 16, 1863.

MINUTES.]—NEW WRITS ISSUED.—For Bandon Bridge, *v.* Colonel William Smyth Bernard, deceased; for Chichester, *v.* Humphry William Freeland, esquire, Manor of Hempholme.

NEW MEMBER SWORN.—For Cambridge County, Lord George John Manners.

SELECT COMMITTEE.—On Printing, *appointed.*

RESOLUTIONS *reported.* — Post Office Savings Banks; Customs Acts (Tobacco Duties); Drainage of Land (Ireland) [Stamps].

PUBLIC BILLS.—1°—Malt Duty [Bill 20]; Tobacco Duties [Bill 21]; Post Office Savings Banks [Bill 22]; Thames Embankment (North Side) [Bill 23].

2°—Births and Deaths Registration (Ireland) [Bill 9].

Committee.—Illegitimate Children (Ireland) [Bill 13]; Drainage of Land (Ireland) [Bill 7].

Report. — Illegitimate Children (Ireland) [Bill 13]; Drainage of Land (Ireland) [Bill 7].

MADRAS IRRIGATION COMPANY.

QUESTION.

MR. SMOLLETT asked the Secretary of State for India, Whether he has made any further concessions or given a guarantee for further interest on the capital of the Madras Irrigation Company, beyond the sum of one million sterling, to which the guarantee of interest was previously limited; and whether he would be prepared to produce all the Papers and Correspondence explanatory of the Government connection with this Joint Stock Company?

SIR CHARLES WOOD said, in answer to the first Question put by the hon. Gentleman, he had to inform him that nothing definitive had as yet been done on the subject. Proposals had been made, and negotiations were going on with the Company. The whole question, however, was referred to the Government of Madras, and until they had pronounced their opinion upon the matter nothing final would be done. When the Correspondence was completed, he should have no objection to produce all the papers relating to it.

THE QUEEN'S PRISON, SOUTHWARK.

QUESTION.

MR. LOCKE asked the First Commissioner of Works, Whether it is intended to convert the Queen's Bench Prison into a Military Prison; and, if not, what were the intentions of the Government with respect to the site of that building?

MR. COWPER said, that when the Queen's Prison was discontinued as a prison for debtors, the Government had to consider what use they could make of the building, and it seemed the most convenient and economical course to use it as a military prison. The building was accordingly given over for that purpose to the War Department at the close of last year.

FIRES IN THE METROPOLIS.

QUESTION.

MR. THOMSON HANKEY asked the Secretary of State for the Home Department, Whether he is prepared to bring in a Bill for the better protection of life and property against Fires in the Metropolis; and, if so, when he will introduce it?

SIR GEORGE GREY said, that he did intend to bring in a measure for that purpose, but it would not be its object to put an end to the present system, as suggested by the Committee of last year; the object would be rather to strengthen and enlarge the present system, so as to render it commensurate with the wants of the metropolis. He could not say when he should be able to bring in the Bill, as he was now in communication with the different bodies whose concurrence would be necessary to the success of the scheme.

CHURCH RATES.

QUESTION.

MR. HOPWOOD asked the Secretary of State for the Home Department, If the Government intend to bring in a Bill on the subject of Church Rates this Session?

SIR GEORGE GREY: The Government have no Bill which they are at present prepared to lay before the House upon that subject.

RUSSIA AND CHINA.

QUESTION.

COLONEL SYKES asked the Under Secretary of State for Foreign Affairs, Whether any information, official or otherwise, has reached the Foreign Office to the effect that the Russian diplomatic authorities in China have entered into arrangements with the Tartar Government to aid in taking the cities of Nankin, Soochoo, and Hangchow, on condition of having ceded to the Russian Government Chusan and the adjacent islands in the mouth of the Yang-tse-Kiang; whether the Toutai of Ningpo has issued a Proclamation announcing that barracks were to be prepared for 2,000 Russian troops at Ningpo; whether it is true that the French are appropriating land at Ningpo; are raising a body of Chinese troops under French officers; and whether the Customs Duties at Ningpo are being collected by an officer in the French Navy?

Mr. LAYARD said, that with respect to the first part of the inquiry, reports had reached Her Majesty's Government of the nature to which the hon. and gallant Member had referred; but they had no reason to believe that they were true. As regarded the French, he believed the French officers had been employed in disciplining Chinese troops, but he was not aware that they were raising any special bodies under the command of French officers, nor was he aware that barracks were being prepared at Ningpo; and as regarded the employment of a French officer in collecting the customs duties at Ningpo, there were no doubt Frenchmen as there were men of other nations, employed by the Chinese in the collection of the customs.

AUSTRALIA AND NEW ZEALAND POSTAL SERVICE.—QUESTION.

Mr. MAGUIRE asked the Under Secretary of State for the Colonies, Whether any Correspondence has passed between Her Majesty's Government and the Colonial Governments of Australia and New Zealand respecting a new Postal Service between those Colonies and the Mother Country *viâ* Panama; and, if so, whether there is any objection to lay such Correspondence on the table of the House?

Mr. CHICHESTER FORTESCUE said, there had been no correspondence up to that date worth laying before the House. The Legislature of New Zealand had passed an Act for the establishment of postal communication with this country by way of Panama, and the Postmaster General of New Zealand was now in this country for the purpose, among others, of forwarding that object. The Legislature of Victoria, however, had declined to be a party to the scheme.

POST OFFICE SAVINGS BANKS.

Resolution *reported*, and *agreed to.*

Bill *ordered* to be brought in by Mr. Massey, Mr. Chancellor of the Exchequer, and Mr. Peel.

Bill *presented*, and read 1°. [Bill 22.]

CUSTOMS ACTS (TOBACCO DUTIES).

Resolutions *reported*, and *agreed to.*

Bill *ordered* to be brought in by Mr. Massey, Mr. Chancellor of the Exchequer, and Mr. Peel.

Bill *presented*, and read 1°. [Bill 21.]

ILLEGITIMATE CHILDREN (IRELAND) BILL—[Bill 13.]—COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Tenth Section of recited Act repealed).

Mr. HASSARD said, the clause as it stood might have the effect of putting an end to all appeals now pending, and suggested the addition of some words to amend this.

Mr. MAGUIRE asked the hon. Baronet the Chief Secretary for Ireland why he did not propose to assimilate the law in this matter to that of England. In this country the jurisdiction was given to the petty sessions, and was not confined, as this Bill proposed it should be in Ireland, to the quarter sessions. He (Mr. Maguire) could not understand why this should be so.

Sir ROBERT PEEL said, that the Poor Relief (Ireland) Bill of last year proposed to give jurisdiction to the petty sessions, but the House would not entertain the proposal. The noble Lord the Member for Mayo (Lord John Browne), during the passage of the Bill through Committee introduced a clause—Boards of Guardians to recover from the putative Father the cost of Maintenance of an Illegitimate Child up to the age of Fourteen, by Process before the Barrister at Quarter Sessions. The House entirely adopted that principle, and by a majority of 111 to 11. The Government, therefore, had no option but to adopt the principle of that clause. Great inconvenience might arise if the guardians, in seeking to recover money for the maintenance of women and their illegitimate children, should have to go before the magistrates in petty sessions, because those magistrates were almost always members of the boards of guardians, and therefore would be judges in their own cause. In consequence of this point being raised on Friday, he had written to one of the Law Officers of the Crown, Mr. Serjeant Sullivan, on the subject, and he replied that it would be infinitely preferable to intrust this business to the Bar rister at Quarter Sessions, and that to give it to the petty sessions would be liable to great objection.

COLONEL DICKSON said, it was natural that a Law Officer of the Crown should prefer the jurisdiction of the quarter sessions. This was just a portion of that system of centralization which was growing up, which was taking the Irish county business out of the hands of the county gentlemen. He did not see that there could be any grievance in leaving this jurisdiction to the magistrates in petty sessions. Surely the right hon. Baronet did not pretend that the magistrates would suffer themselves to be biassed in the judgments by their connection with the board of guardians. He hoped the right hon. Baronet would see his way to adopt the general opinion of the Irish Members unconnected with Government, and allow these cases to be decided by the petty sessions.

MR. BUTT pointed out that in those cases where the magistrates were members of the board of guardians they could not sit in the adjudication of these cases. He did not say that a magistrate in this position was morally disqualified; but he said without hesitation that he was legally disqualified, because the law prohibited any man from sitting on a case in which he was a party.

COLONEL FRENCH said, he believed that justice would be best secured by the clause in its present shape.

COLONEL DUNNE said, he looked upon it as most objectionable. If evidence were adduced that the woman spoke falsely, it would be very unfair to put the man whom she accused to the expense of a trial before the barrister.

MR. MONSELL said, that he was one of the eleven Members who originally voted against the clause. He was of opinion that the greater the publicity the greater the check to immorality. For that reason it was better that the case should be brought before the quarter rather than the petty sessions.

MR. LONGFIELD thought the jurisdiction should be in the barristers at quarter sessions, and that the magistrates at petty sessions should be restricted merely to the administration of the formal oath that would be required in order to institute proceedings.

MR. BAGWELL was of opinion that the magistrates should be kept out of the business altogether, otherwise the clause would be entirely inoperative.

MR. HASSARD said, he hoped the right hon. Baronet would persevere with the Bill as it stood.

LORD JOHN BROWNE said, he thought the better way would be to leave the matter entirely to the Chairman of quarter sessions. The magistrates who took part in the petty sessions were almost invariably most active in the board-room of the workhouse; and therefore, when on the bench, it was not right that they should adjudicate on matters which they had already discussed as guardians of the poor.

MR. GEORGE felt some surprise at having heard so many hon. Members express the opinion that the best tribunal for trying these cases in the first instance was the Assistant Barrister. On the contrary, a very strong opinion prevailed in Ireland that the best tribunal in the first instance would be the petty sessions of the place where the mother resided. He considered that unless a power was given to the magistrates at petty sessions to summon the woman before them to be examined on oath whether a certain individual was the father of her illegitimate child, the Act would to some extent be inoperative.

LORD CLAUD HAMILTON expressed his hope that before the Bill passed it would be restored to the shape in which it appeared last Session, in respect to the tribunal before which the cases to which it referred would be tried. What he desired was that the English law, which left such cases to be heard at petty sessions, should be adopted for Ireland.

After a short discussion, Clause agreed to, with Amendments.

Clause 2 (Board of Guardians may recover Cost of Maintenance of Illegitimate Child).

SIR GEORGE LEWIS said, he understood from his right hon. Friend who had charge of the Bill that he proposed this change of the law in consequence of a wish expressed to that effect last Session and the year before by Irish Members. This clause would to a great extent bring back the law of Ireland to the state in which the law of England was before 1844. Before that year the law of England empowered overseers to proceed against the putative father of an illegitimate child for the purpose of recovering from him the cost of its maintenance. The result was, that altercations constantly took place between boards of guardians and the putative fathers of illegitimate children, and marriages frequently took place with the mothers of such children in consequence of the pressure applied by the parish officers. To remove the evils generated by that state of the law, the Government of the day, through Sir James Graham as Home Secretary, proposed an alteration by which all power of proceeding against a putative father on behalf of the parish was taken away, and any proceeding on their part in such matters was absolutely interdicted, and a remedy was given to the mother of an illegitimate child to proceed against the putative father for contribution towards its maintenance; but if the mother of the child became chargeable to the parish, the parish had no remedy. He was not aware that any complaint had been made of that alteration in the English law. On the contrary, he believed the boards of guardians in this country unanimously attested that the change was beneficial, and had removed the scandals and inconveniences created by the previous state of the law. He would suggest to the Irish Members that instead of adopting for Ireland the law as it existed in England before 1844, they should adopt the law as it now existed.

Mr. BUTT said, the right hon. Gentleman misapprehended the object of this Bill, which was simply to remove some technical difficulties in the working of the Act of last Session. The question referred to by the right hon. Gentleman was discussed by the House last year, and it was resolved by a majority of ten to one that the power of suing should be given not to the mother, but to the board of guardians. He (Mr. Butt) was disposed to abide by that determination. The hon. Member for Wexford (Mr. M'Mahon) had said that the board of guardians could not compel the mother to inform against the father, but the Assistant Barrister had the power of summoning her as a witness. It was true that she might refuse to make an affidavit, but in that case the board of guardians had a remedy—namely, that of depriving her of parochial relief.

Colonel DUNNE said, he should be sorry to see the existing English law introduced into Ireland.

Mr. BRADY declared, that the clause, if passed, would be the source of great immorality.

Clause *agreed to.*

Sir George Lewis

Clause 3 (Petty Sessions Clerk shall furnish to Board of Guardians, or putative Father, Copy of Information; such Copy to be received in Evidence).

Clause *agreed to.*

Clause 4 (Civil Bill to be heard by Chairman of Quarter Sessions).

Lord JOHN BROWNE moved to add the following words:—

"When any person shall once be adjudged to be the father of an illegitimate child, it shall not be necessary to swear informations or prove his paternity a second time when the guardians shall have to proceed against him to recover the costs of maintaining the same child."

Mr. GEORGE said, that the Bill would involve great expense if proceedings were to be taken from week to week, or from month to month. In England, when an order was once made, it was a continuing order.

Sir ROBERT PEEL said, that on the Report he would bring up a clause to meet the last objection, and also to effect the object of the proposed addition.

Amendment *withdrawn.*

Clause *agreed to.*

Remaining Clauses and Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

THAMES EMBANKMENT (NORTH SIDE) BILL.—LEAVE—FIRST READING.

Mr. COWPER rose to move for leave to bring in a Bill to authorize the formation of a new street from Blackfriars to the Mansion House, in connection with the Embankment on the Northern Side of the Thames. This street was intended to complete the great thoroughfare from east to west, commenced under the Act of last year, which was the most urgent need of the metropolis at the present moment. Notwithstanding the great increase of streets, the Strand still remained the single great thoroughfare between the City of London and the City of Westminster. All the traffic from Charing Cross by the Strand, and all from the north-west of London by Oxford Street and Holborn, met, in going eastward, at Cheapside, and obstructed that narrow pass. Cheapside was wholly inadequate for proper communication between the east and west of London. What was absolutely required was another thoroughfare between the open space in front of the Mansion House and the two centres of West End movement at Charing Cross and Westminster Hall. The street which had been laid out with a view to make this new thoroughfare was submitted last year to the House in a measure which he introduced—the Thames Embankment Bill. The Committee to which it was referred had not time to consider in detail the objections that might be raised to this portion of the scheme; and it was postponed until the present year. But a good deal of attention had been paid to it during the recess, not only by himself, but also by a Royal Commission, who had examined witnesses on the question whether some other communication between the east and west of London might not be more advantageously adopted. The Commission had reported in favour of the street he had the honour to propose last year, and decided that no alternative line was preferable to it. The first alternative line was to carry the embankment still further from Blackfriars to the east. The Bill passed last year provided for a spacious thoroughfare between Westminster Bridge and Blackfriars, with thirteen acres of garden-ground for the recreation of the inhabitants; but, as a thoroughfare, it would be of little use if it stopped at Blackfriars Bridge. The question then arose, could the embankment be prolonged eastward? The wharves below Blackfriars Bridge had commercial traffic of the greatest importance and very large compensation would be required if they were destroyed. The business carried on at these wharves was so important to the commerce of the City of London that it would be a serious misfortune to the City to be deprived of those wharves. Besides, a road carried in that direction would not go straight to the centre of the City, but would be circuitous. It would go first in an easterly direction to Queenhithe, where it would leave the river and proceed in a northern direction towards the Mansion House. Even if a lofty viaduct were adopted instead of a solid embankment, the compensation would be great, and the works costly. It was capable of being shown to any impartial inquirer that there would be no advantage in adopting the embankment in preference to a more direct line; and although, as a modification of their plan, they might have a viaduct that would permit barges to reach the wharves, the damage done and the compensation required would be very considerable, while the architectural effect would not be good. The other alternative was a line proceeding direct to St. Paul's; it was one which he greatly desired, because it would have that most desired effect of opening up the Cathedral to clearer view. It was a misfortune that that splendid work of art, the handsomest church of its style, was so little seen; and if the new street could be brought straight from Black friars Bridge, having the dome of St. Paul's in the vista, it would be a striking improvement. But the ascent of that street would be inconvenient, as St. Paul's stood higher than Blackfriars Bridge. The junction of the traffic in the new street with that of Ludgate Hill in St. Paul's Churchyard, and with the traffic of Holborn in Cheapside, would be very obstructive. St. Paul's Churchyard would require to be widened at a very large cost. He was therefore reluctantly obliged to come to the conclusion that a street direct to St. Paul's Cathedral was not advisable. The street proposed in the Bill which he asked leave to introduce would go in a very straight direction from Chatham Place to Charlotte Row, near the Mansion House. It would not be an expensive route to take, because, crossing diagonally, it did not interfere with any streets where large retail trades were carried on. It would pass from Chatham Place across Earl Street, proceeding with a slightly northern inclination to Bennet's Hill, between Thames Street and Little Knightrider Street, enter Cannon Street West, cross Queen Street at the junction with Watling Street and Bucklersbury, and proceed straight to the north angle of Charlotte Row by the Mansion House. Here the outlet was narrow for both the traffic of the new street and that of the Poultry; but power was given in the Bill to widen the east end of the Poultry, and the removal of a few houses would give ample space for traffic. The rapidity of locomotion which prevailed over the rest of England ceased in the heart of its commercial activity, and the quickest way of reaching the Bank was on foot; the traffic through the City had been paralysed, but this line of thoroughfare would at once restore circulation. The funds for forming the new street were to be drawn from the Thames Embankment Fund, created by the Act of 1861. The total ultimate cost of the street was estimated at about £600,000, and the first outlay at a million. In order to supply the deficiency which might thus be occasioned to the fund, it was proposed to prolong the coal duties for a further period of ten years beyond the year 1871, till 1881. He did not propose to make any alteration in the mode of collection or in the amount to be paid. It was generally agreed that the coal duty was to be appropriated to metropolitan improvements; and he had to ask the House to enable the Metropolitan Board of Works to borrow money at once upon the security of the future proceeds of this coal tax. If that were done, and the tax were taken for the further period he had named, the money would be provided not only for these improvements, but for others required in the metropolis. It was greatly desired that some portion of the southern shore of the Thames should be embanked. The Royal Commission which considered the question of embanking the Surrey side of the river reported in favour of an embankment to extend from Westminster Bridge to Chelsea Bridge. He was afraid that scheme was too extensive to be carried into effect; but some portions of it were most urgently required, particularly that which lay between Lambeth Palace and the gasworks near Vauxhall Bridge. If the residue of this extended coal tax were expended in making an embankment on that spot, which might hereafter become a part of a general embankment of the Surrey shore, inundations would be prevented, and a useful thoroughfare established. A Bill was under consideration for that southern embankment, but it was thought better not to make it part of the scheme which he now proposed, and it would form the subject of a separate measure. The next improvement in point of urgency was the raising of the valley between Holborn Hill and Skinner Street. If the coal duties were extended as he proposed, that portion of them which was under the control of the City Corporation would be expended in that improvement, and in taking advantage of the present opportunity to re-arrange all those streets which would be disturbed by the various railways now proposed underground and overhead in that vicinity, and to Smithfield Market. In that way he believed the coal duties might be made most serviceable towards the objects for which they had hitherto been granted. He might add that the embankment near Lambeth of which he had spoken would become very useful as a thoroughfare to the Nine Elms and Vauxhall stations, which at present were very difficult of access. The right hon. Gentleman concluded by moving for leave to bring in his Bill.

Mr. LOCKE said, that the particular improvement of the new street from Blackfriars Bridge to the Mansion House was by no means a new one. Some twelve or fifteen years back the Corporation of London entered upon that very improvement, and they had in the Cannon Street improvements already commenced this new street, which was intended to run from Cannon Street down to Blackfriars Bridge. Now, on the part of his constituents, he wanted to know why the right hon. Gentleman proposed to transfer from the City of London to the Metropolitan Board of Works the advantage and the honour of making that street, and to place it on the remaining portion of the inhabitants of the metropolis? The new street was already commenced—some hundred yards of it or more had been already completed. New Cannon Street was an honour to the City. It was true, that as the old houses had been left on one side and new ones built on the other, it could not be considered as a Parisian improvement; but in this metropolis, where they did not expect things to be quite well done, it must be admitted that New Cannon Street answered very well. Why, then, stop the City of London in that which they had commenced? Why should that House, hardly cool from having appropriated the coal duty for ten years, be asked to appropriate it for ten years more? The right hon. Gentleman talked about bridging over the Holborn valley. Why, that had been talked about for the last hundred years, and no attempt had been made to carry out the work. Out of the 13*d.* coal duty paid by the whole metropolis the City of London was to have 4*d.* What had been done with that 4*d.*, and what was to be done with it? Before the House came to a decision on this matter they ought to know what the City of London had done with that 4*d.*, and whether the City was not in a position with that 4*d.* to carry out its own improvements. If the Chief Commissioner of Works was not sufficiently in the confidence of the

City authorities to be able to furnish the House with the requisite information on that point, the Lord Mayor, whom he was glad to see in his place, would perhaps favour them with it. A new street from Blackfriars to the Mansion House was, no doubt, very desirable, but he warned the right hon. Gentleman that his estimate of its expense was likely to prove very incorrect. The property through which the new thoroughfare would pass was almost as valuable as that in any other part of the City, and it was a great mistake to imagine that it would not cost much to buy it up because it comprised few retail shops. But did the right hon. Gentleman think that retail trades were the chief value with regard to buildings in the City? If the right hon. Gentleman knew anything about compensations, he would know that there were such things as markets in the City of London, and that the wholesale houses had their business premises in those markets; and the argument always used in City compensation cases was that a considerable amount should be given, because, when a business house was removed from the neighbourhood of a market, there would be great difficulty in finding other eligible premises. His opinion was that the compensation required for this street would be enormous, and he believed that the cost would be at least half as much again as that estimated by the right hon. Gentleman. It was remarkable that the right hon. Gentleman should ask for leave to introduce a Bill to impose upon the Metropolitan Board of Works a task to which he believed their sanction had not been asked. The right hon. Gentleman had said that when the question last came before the Committee very little was understood about it; but sufficient was understood about the Thames Embankment to reject that part of the scheme, and to decide that the Embankment should be from Westminster Bridge down to Blackfriars, and there to stop; and their intention was, that if carried further, the City was to execute it out of the 4*d.* from the coal duties to which he had before referred.

MR. WALPOLE rose to a point of order. He understood the right hon. Gentleman to say that he was going to extend the period over which the coal duties would exist and out of the monies obtained by the extended term of those duties he expected to obtain sufficient to pay for the new works now proposed. If that were so, he would ask whether it was competent to proceed with the Bill without previously going into a Committee of the whole House?

MR. COWPER said, that what he desired to convey was that this Bill would give the Metropolitan Board of Works power to appropriate money out of the Thames Embankment Fund for the purpose of those works; therefore, this Bill, not going beyond the giving of the power to the Metropolitan Board, could not be considered as raising any tax or imposing any duty. It gave no power whatever to increase the Thames Embankment Fund. But he thought it necessary to state, that in order to make sure that this Thames Embankment Fund would be able to meet all the charges which might come upon it, it was his intention at a future day to propose a Bill having for its object to replenish and increase that fund; but he had thought it right on this occasion to follow the precedent of last year. They knew what the Thames Embankment Fund was at the present moment, but he had no wish to run any risk, and therefore he intended at a future day to ask the House for the means of increasing that fund.

MR. HENLEY said, here was a Minister of the Crown bringing in a Bill to enable certain bodies to do certain things, and to pay for the work out of certain funds which he knew were insufficient. He said that these certain funds having been appropriated by the House to another object, he knew they would be insufficient to carry out the new scheme which he was now proposing; and therefore at some future time he would come and ask them to renew a certain tax for ten years. That was placing the House in this unfortunate position, that they would be assenting to a thing to be done without assenting to the mode of paying for it. It might be strictly in order, but he could not but say that it was not a convenient mode of doing business. It was only fair to the House and the parties who would have to pay this tax that the propriety of continuing the tax should be considered at the same time as the scheme was proposed, which for anything he knew might be a very good one.

MR. SPEAKER said, he thought that upon the point of order, what had fallen from the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) was a correct exposition of the state of the case

—that it was rather a question of form and convenience of legislation than a question of order. If no charge was imposed upon the public by the Bill, the case did not arise in which it would be necessary to go into a Committee of the whole House to obtain its previous sanction. Until such a question arose, it did not appear to him that the right hon. Gentleman was wrong in point of order in the course he had pursued.

Mr. DOULTON said, he did not rise to dispute the position of the right hon. Gentleman (Mr. Cowper) as to the necessity of metropolitan improvements, but to ask him to postpone the consideration of this Bill for a week or two on a variety of considerations. One reason was, that the Board who by this Bill were delegated to carry out the improvement would meet on Wednesday next in order to consider the propriety of abandoning a considerable portion of the street as proposed to be laid out by the right hon. Gentleman. It did appear to him that the right hon. Gentleman would be placed in an anomalous position in asking for power to make a certain street when those who were to carry it out might not feel inclined to do so. Another reason was, that there was not in the Bill any proposal to raise the money. That, he understood, was a question that was to come on in a few weeks. Then he wanted to know why the right hon. Gentleman introduced this Bill at all? He asked him to postpone it because the City authorities were divided in opinion as to whether the lower portion of this street should be constructed. Like his hon. Friend the Member for Southwark (Mr. Locke), he was opposed to paying for the improvement out of the 9*d.* coal duties. Let the City carry out this improvement and pay it out of the 4*d.* coal duty. He asked the right hon. Gentleman to postpone it to give further time to those who were interested to discuss the question. Another reason was, that the engineers employed by the right hon. Gentleman and the engineers employed by the Metropolitan Board of Works were directly at variance as to both the cost and the gradients; and when he told the House that some hundreds of thousands of pounds were involved in this difference of opinion it would be seen at once that further discussion by the Board was necessary before they proceeded with this Bill.

The LORD MAYOR (Mr. Alderman Rose) said, that the hon. and learned Member for Southwark (Mr. Locke) had correctly stated that it was part of the City scheme that New Cannon Street should be continued to Blackfriars Bridge to form an outlet for the Thames Embankment when completed. But, as hon. Gentlemen must be aware, the reason the street was not continued was because they had no funds. The 4*d.* coal tax was forestalled by the streets already made; and therefore the City was in this difficulty, that while they felt this outlet was required to relieve their most enormous traffic, they had no funds to make the street. Therefore it was that the right hon. Gentleman (Mr. Cowper) proposed to continue the coal tax for a certain longer period, in order that the funds might be raised for the construction, not only of the street which the City authorities contemplated in the first instance, but to carry it on to the Mansion House. It was absolutely necessary that something should be done to relieve the City of the enormous traffic; but he for one did most earnestly object to the introduction of the Metropolitan Board into the City proper. They had done their work well and faithfully, and he was sorry to see any Board imported for the construction of streets in the City of London—a duty which had been well done by the City itself. They were in this difficulty, that they had not got the means to carry out what they desired; and he thought that if the House thought it wise to continue the coal tax, they could not do better than give the City authorities power to carry out the scheme now proposed.

Mr. W. WILLIAMS said, that the right hon. Gentleman should have first brought in a Bill for the embankment of the Surrey side of the Thames. [*A laugh.*] Gentlemen might laugh, but he could tell them that the inhabitants of that side were great sufferers from inundations, and something was absolutely required to be done for the future protection of their property. He dared say that the scheme proposed by the right hon. Gentleman was a good one, but there was no absolute necessity for it, while there was an absolute necessity for relief to be given to the inhabitants of the Surrey side. The highest authority in that House—the noble Lord at the head of the Government—had stated that the embanking of the Surrey portion was more urgently required than the north, and he was perfectly correct. Then, again, it was most unbusiness-like that the right hon. Gentleman had not provided the means for carrying out his object. He thought that the Bill ought to be postponed.

Mr. THOMSON HANKEY deprecated the attempts made to procure a postponement of the measure. At any rate, it ought to be introduced, in order that hon. Members might see what it contained. The Lord Mayor had advocated the taking of the work out of the hands of the Board of Works, and placing it in the hands of the City, and yet we were informed that it was twenty years since the City began the improvement, and only one hundred yards were now completed, they having failed for want of money. Was that really any encouragement to them to postpone a measure of which there was a reasonable expectation that it would be practical and useful? He hoped that this Bill would be at once introduced. Of course, there need be no hurry about the second reading.

Mr. Alderman CUBITT trusted there would be no postponement of the measure, for every day was of the greatest importance to the traffic of the metropolis. The Committee of last year considered it necessary that a new street should be made from Blackfriars Bridge. The embankment had been intrusted to the Board of Works; and it was most desirable that the new street should be proceeded with simultaneously with the embankment; but he must say that he participated with the Lord Mayor in his regret that the City had not the carrying out of the works. It was a question, as most questions were, of pounds, shillings, and pence. Such a street as the right hon. Gentleman had proposed, so suited to the purpose, so absolutely necessary, ought to be constructed, and that quickly; and he hoped that no delay would be interposed on the part of the House, but that the House would allow the right hon. Gentleman to bring in the Bill.

Mr. CRAWFORD said, he did not wish to throw any obstacle in the way of the introduction of the Bill, which contained some good points, but at the same time it would require a critical examination in Committee. One among its good points was that it did not interfere with the large commercial interests below Blackfriars Bridge. On the other hand, he did not view with favour the introduction into the City of London of diagonal streets, as they led to great and practical inconvenience, and embarrassed the traffic. If the formation of the new street was not carefully carried out, there would be great obstruction at Blackfriars Bridge. Unfortunately the Corporation had not the means of conducting this work at the cost and charges of the City; and as the work could only be done by monies raised from the metropolis generally, he thought that the inhabitants of the metropolis at large were justly entitled, through their representatives at the Board of Works, to the conduct of the work. The success with which the City had carried out the Cannon Street improvement would justify their being intrusted with this work if they had been able to provide the funds. The reason why the Committee of last Session struck out the clauses regarding this new street was because they found that the estimates of the engineers of the Board of Works were based on insufficient data, and differed so much from the information obtained by the City in the construction of Cannon Street as in the judgment of the Committee rendered them not reliable, and it was thought better to bring in a Bill this year. The right hon. Gentleman (Mr. Cowper) had alluded to the probable necessity for pulling down houses on the south side of the Poultry and at the end opposite the Mansion House, with a view of providing increased space for the traffic there. He did not know how funds were to be provided for this scheme, as he did not think it would be possible to find any part of London where the claims for compensation would be larger than at that particular spot. On this subject he might state that the Charing Cross Railway Company intended to construct a station where the Unity Buildings now stood in Cannon Street. This station would probably be a great place for the continental traffic, and it would be necessary to widen all the streets connected with it.

Lord FERMOY said, that nobody denied that the new street would be very useful—the question was, who was to pay for it? His right hon. Friend the Lord Mayor said that the City was too poor to do it at its own expense. Why, the City was the richest community in the world, and yet it was said to be too poor to pay for its own improvements. It was desirable that the House should have a few particulars laid before them in reference to what had been done with the 4*d.* coal tax. They had heard that it had been spent or hypothecated; but they had never had a clear and business-like account in reference to the matter. Until that was done, on the part of his constituents he protested against the City putting their hands into other people's pockets to pay for City improvements. They had heard that differences had arisen between the engineers of different schemes, amounting to hundreds of thousands of pounds. If that were true, what was the grand total of the enormous sums of which this was only the difference? Considering the enormous sum which would be required to pay for this new street, he could not help coming to the conclusion that the Chief Commissioner had done wrong in introducing a measure which, like this one, prejudged the question how the work was to be paid for. Last year he assented to the Thames Embankment being paid for by the coal tax, because that was a work of great necessity to the whole metropolis, and his constituents contributed very largely to the coal duties. But at the same time, he gave notice that the improvement was of no more advantage to his constituents than it was to any of the inhabitants of places within twenty miles round London; and that he would not consent to the whole of the City improvements being dealt with in that way. The proposed street would cost about £1,000,000; and if that large sum was to come out of the coal duty, he should like to know when any other part of the metropolis would have a chance of putting their hands upon any part of the produce of the tax. He hoped that they might not be put into the painful position of having to oppose a Bill introduced by the Government. He trusted that the right hon. Gentleman would get up and say he would, on a future day, bring in this Bill and also a Bill to provide the funds at the same time.

Mr. NORRIS said, the noble Lord the Member for Marylebone had complained that no account had been exhibited of the expenditure of the 4*d.* coal duty, and the complaint appeared to indicate the erroneous theory that the City authorities were responsible to the metropolitan Members. The 4*d.* was an immemorial right appertaining to the City of London—[No, no!]—and did not come within the category of taxes which were properly subject to regulation by that House. Whether it were an immemorial right or not, the Corporation had received it through many centuries, and had performed the obligation of spending it with great purity and usefulness, and had obtained great credit for the public works which they had carried out by means of that fund. He would, however, give the House an epitome of the accounts, showing what had been done with the produce of the 4*d.* coal duty. The fund had been anticipated in one way and another for the making of Moorgate Street, Gresham Street, New Cannon Street, and for other public improvements, and it was somewhat more than exhausted at the present time. The present Bill was only one of several which proposed to take away forty acres of house and street property in the City, for the purpose of effecting great public improvements. This was a great sacrifice on the part of the inhabitants; and the extent and number of the alterations were such as to render it incumbent on the House to see that those improvements were carried out in an harmonious and well-devised scheme. The Chamberlain of London, a most competent authority, had calculated that the income of the Corporation from the 4*d.* tax for the period for which it had been extended would amount to £330,000; and the proposal of the Corporation to raise Holborn valley would require from £380,000, to £400,000 to carry it out. It would be for the House to consider whether the coal tax should be appropriated to the purpose of this great improvement in connection with the railway works which were about to be carried out in that neighbourhood, or for making the street to the Mansion House; but in either case the duration of the duty must be continued beyond the period for which it was already imposed. He hoped the House would permit this Bill to be laid upon the table, and that it, with other Bills proposing to take land and make improvements in the City, would be referred to a Committee or to the right hon. Gentleman's Department, or would be dealt with by the House altogether. There was another circumstance which he would mention. The Great Eastern Railway proposed to extend their line into Finsbury Circus at a level of 18 or 20 feet above the streets, whilst the Metropolitan Line proposed to go to the same place, but in a cutting about 18 or 20 feet below the surface; so that any person wishing to pass from one line to another would have to ascend or descend about 40 feet. This was one of the matters which would require consideration. Another was that the Corporation were coming to Parliament with a Bill to rebuild Blackfriars Bridge, and the works should be constructed so that the new street and the Embankment should be in harmony with the new bridge and with the railway station in Cannon Street.

MR. HARVEY LEWIS said, that all the speeches he had heard had shown the necessity of postponing the Bill, and therefore he would suggest that it should be withdrawn for a fortnight, and that the two Bills for executing the work and providing the money should be brought in at the same time. He thought the feeling of the House was in favour of a postponement of the Bill. There was no wish to throw any undue obstacles in the way of those great works; but, representing as he did a district of the metropolis, he had every objection that for a purely City improvement the metropolis should be called upon to pay the whole expense.

VISCOUNT PALMERSTON: If my right hon. Friend was asking the House to decide upon the third reading of this Bill, the appeals which have been made would have some foundation, because it might fairly be said, "Don't let us pass a Bill affirming that a certain work is to be done until we see how the means are to be provided from which the expense is to be defrayed." But that which my right hon. Friend is asking the House is simply to allow him to bring in a Bill that it may see what the measure is, and may in course of time determine whether this work is one which it is expedient to execute. If my right hon. Friend had followed the recommendation of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), he would have been open to the charge of putting the cart before the horse, to which he is now not liable, because to have brought in a Bill providing a sum of money without previously determining to what object it is to be applied, would have been a solecism in legislation, and my right hon. Friend would have been told, "Don't ask us to continue a tax unless you tell us to what object it is to be applied. First let us approve of the work, and then determine how the money is to be raised." I therefore think that the course of proceeding adopted by my right hon. Friend is perfectly logical and perfectly Parliamentary. If the House gives him leave to bring in this Bill, he will, in the shortest possible time, introduce the other, and before the week is over the House will have both Bills before it, and will be able to form a judgment upon the subject. We can, however, do only one thing at a time, and it is impossible to move for leave to bring in two Bills at once, and thus, as it were, take a double-barreled shot at the House. My right hon. Friend has, I think, judged rightly that the first thing to be done was to bring in the Bill proposing the work, and then, before that Bill is read a second time, to introduce the other, showing in what way the necessary funds are to be raised. Great objection has been made to the proposal that the expense of making an improvement within the City should be defrayed out of funds raised from the whole of the metropolis. That argument would be well founded upon the assumption that the improvement to be made will be solely and entirely for the benefit of the City of London; but surely no man who has of late years gone from one end of the town to the other can be under the impression that increasing the approaches from the West End to the City is a matter which purely and solely concerns the inhabitants of the City. Why, it concerns all that immense number of persons in the metropolis who from day to day have business in the City; and of its necessity no one can require proof, because you have only some fine morning to take a cab at Charing Cross, and order the cabman to drive into the City, and by the time that you have spent two or three hours in getting there, and two or three hours in getting back, you will be amply convinced that some additional line of communication is required for the convenience, not only of the people of the City, but of the people of the metropolis in general. Therefore, it seems to me to be perfectly just and right that the cost of this improvement, which we all admit to be absolutely necessary, should be defrayed out of the produce of a tax which is applicable to the whole of the metropolis. Of course, every man has his own peculiar scheme. The hon. and learned Member for Lambeth (Mr. Locke) says that you ought to begin by embanking the southern side of the river. I quite admit that that work is urgently required; but we have embarked on another scheme. We have begun the embankment of the northern side, and that embankment will not be productive of all the advantages derivable from it unless we provide this further development for the accommodation of traffic. Therefore, I say, let us finish one thing before we begin another, and I shall be ready to concur with my hon. and learned Friend the Member for Lambeth as to the necessity, as soon as we can do it, of embanking the southern shore of the river, for the purpose of rescuing the people of Lambeth from what we all know to be an intolerable nuisance arising from the floods which fill up their cellars and their streets with the most odious refuse. I hope that the House will not refuse my right hon. Friend leave to bring in this Bill, and they may be well assured that in the course of a few days he will bring in the other which he has mentioned. A good deal has been said about a great difference between the calculations of the engineers who have calculated the expense of this street. It is said that that difference amounts to several hundreds of thousands of pounds. I believe that those who have made that statement are entirely misinformed. As far as I am informed, it is quite a mistake. There have been differences of opinion as to the gradients which it may be desirable to adopt, but there has been no difference whatever as to the expense.

Motion *agreed to.*

Bill for making a new Street from Blackfriars to the Mansion House, in the City of London, in connection with the Embankment of the River Thames on the northern side of that river; and for other purposes, *ordered* to be brought in by Mr. COWPER and Mr. PEEL.

Bill *presented,* and read 1°. [Bill 23.]

MALT DUTY BILL.

LEAVE. FIRST READING.

THE CHANCELLOR OF THE EXCHEQUER rose to move for leave to bring in a Bill to give a certain extension of credit to those maltsters who might desire to avail themselves of it, in respect of a portion of the duty which they were called upon to pay. The Bill did not relate to the general arrangement of the malt duty and malt credits, which had been placed upon a footing that, he believed, was liable to no impeachment in point of equity. Upon the average at least nine weeks were given to the maltster between the time of charge and the time of payment of duty; and that would pretty fairly represent the period in which he would generally sell his malt and receive the money for it before he was called upon to pay the tax. There was, however, a certain period—the first half of the financial year—in which brewing was almost entirely suspended, and during which the maltster had to pay duty upon his malt before he could sell it. The Bill which he asked leave to introduce was intended to meet that hardship and establish a fair equilibrium between the charge of the duty upon the maltster and his power of getting it back from his customers. For the collection of the malt tax the financial year was divided into eight periods called "rounds" of an average length of six weeks and a half each. Under the present system the duty was levied in the round next but one after that in which it had been charged. The duty charged in the first round—that was, between the 1st of April and the middle of May was levied in the third round—that was, between the 1st of July and the middle of August. A very considerable sum (about £800,000) was annually charged in the first round of the financial year. What he proposed was to authorize the Government to grant the maltsters, if they thought fit to avail themselves of it, upon the usual terms, bonds being taken and they paying 4 per cent interest, an additional credit of three months. That would enable them to postpone the payment of the duty upon the malt which they made during these six weeks until the fifth round—that was, until October; thus paying it in the third quarter of the year, instead of having to pay it, as heretofore, in the third round. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. PULLER said, he regretted that the right hon. Gentleman was not prepared to extend to the maltsters a more substantial measure of relief. The second contraction of the malt credit which took place three years ago had, as he then predicted, ruined many of the small maltsters, the number of licensed maltsters having in that time diminished by 400. It was true that there was a period of the year extending from the middle of May to the beginning of October during which malt could not be made, and during which, therefore, the maltster was obliged to have a stock of malt in hand, for which he had no immediate market; and to that period the relief now offered was confined; but by the contraction to which he referred, the maltsters were placed at a great disadvantage during the whole year, because the revenue officers, when charging them with duty, included in the amount malt in its early stage of manufacture, and which would not be ready for sale for several weeks; and, moreover, it required several maltings to produce a sufficient quantity of malt to effect a sale. Although this was called a duty upon malt, it was really a tax upon beer, and was paid by the consumers of that article ; but, in point of fact, the duty was now got into the Exchequer long before it was paid by those on whom it ought really to fall. The burden of thus advancing the duties, requiring, of course, the employment of additional capital, must fall either on the maltsters or on the brewers. Under the old system, of giving eighteen weeks' credit in the collection of the duties, the Chancellors of the Exchequer obtained their money with much less loss than upon any other part of the financial system. The Exchequer gave eighteen weeks' credit to the maltsters, and the maltsters gave from three to four months' credit to the brewers. His right hon. Friend had contracted the maltster's credits ; had he also contracted the brewer's ? Quite the contrary. The maltster was placed far more at the mercy of the brewer than ever he had been before, because the brewer, a man of large capital, knew that the maltster must sell by a certain day, and by holding off was therefore enabled to cheapen the commodity. These disadvantages were aggravated by being compelled to manufacture within seven months the quantity required for a whole year's consumption. He believed that the old amount of credit was by no means an unreasonable one, but the trade would agree to meet the Chancellor of the Exchequer half-way if he would consent to allow a period of twelve weeks credit instead of six.

MR. DODSON said, that the hon. Gentleman was mistaken as to the number of maltsters. There were, in fact, rather more of them in 1862 than there had been in 1860. He hoped the right hon. Gentleman would be induced to reconsider his measure, and grant the agricultural interest two boons—first, to reduce the amount of the impost ; and, secondly, to levy it on the manufactured article. The former of these propositions would stimulate consumption, and would thus avoid entailing any considerable loss upon the Treasury ; and the second, while it might likewise be granted without any sacrifice of revenue would enable the farmer to malt his corn for the purpose of feeding his cattle.

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Gentleman who had just sat down invited his attention to matters of a far wider scope than those contemplated by the present Bill. As to the reduction of the malt duty he could say nothing—it was a question of great financial extent and importance, and could only be considered in connection with the financial arrangements necessary for meeting the current expenditure of the year. The commutation of the malt into a beer duty was in many points of view desirable, but he was afraid there were insuperable difficulties in the way of such a change. It had been established by a Committee of that House, consisting of its ablest men, and especially of its most intelligent agriculturists, that there was no reason to expect any general benefit to the agricultural interest from the use of malt in feeding cattle in preference to grain. It would, likewise, be a most formidable change to release some 7,000 or 8,000 men who, under the present system, were subject to excise supervision, in order to establish restrictions similar and quite as stringent over the class of brewers, numbering 40,000. The difficulty would also arise of dealing with private brewing. It would be necessary either to exempt private brewing from the duty which every trader was compelled to pay, or else the exciseman must enter into every private house. In whatever year the House thought fit to commute the malt duty into a beer duty it must be further prepared to surrender a very large sum—perhaps a couple of millions—because the duty would not be leviable until the article reached a point considerably more advanced than that at which payment was now called for.

Motion *agreed to.*

Bill to extend the credit for payment of a portion of the Excise Duty on Malt, *ordered* to be brought in by MR. CHANCELLOR of the EXCHEQUER and Mr. PEEL.

Bill *presented*, and read 1°. [Bill 20.]

House adjourned at Eight o'clock.

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HOUSE OF LORDS,

Tuesday, February 17, 1863.

MINUTES.]—SELECT COMMITTEE. — Standing Orders Committee on Private Bills *appointed.*

STANDING ORDERS COMMITTEE ON PRIVATE BILLS.

LORD STANLEY OF ALDERLEY, in the absence of Lord REDESDALE, *moved* the re-appointment of the Standing Orders Committee.

Motion *agreed to.*

Then the Lords following, together with the Chairman of Committees, were named of the Committee:—

Ld. President
D. Somerset
M. Winchester
M. Bath
M. Ailesbury
L. Steward
E. Airlie
E. Hardwicke
E. Carnarvon
E. Romney
E. Chichester
E. Powis
E. Verulam
E. Beauchamp
E, De Grey
E Stradbroke
E. Amherst
L. Chamberlain
V. Eversley
L. Camoys
L. Saye and Sele
L. Colville of Culross
L. Ponsonby
L. Wycombe
L. Sondes
L. Foley
L. Dinevor
L. Wodehouse
L. Sheffield
L. Colchester
L. Silchester
L. De Tabley
L. Wynford
L. Portman
L. Stanley of Alderley
L. Aveland
L. Belper
L. Ebury
L. Churston
L. Egerton

BRAZIL—DISPUTE WITH THE BRAZILIAN GOVERNMENT.

EXPLANATION.

EARL **RUSSELL**: My Lords, when I was absent from the House last evening, having been detained by public business elsewhere, some remarks were made by the noble Earl opposite (the Earl of Derby) with regard to some events that have recently occurred in Brazil. The papers relating to that subject will shortly be laid on the table, and I do not think it of any use calling attention to the matter without going into the details of it. At the same time, as so much has been said founded upon an *ex parte* statement which has come from Brazil, I will take the liberty of informing your Lordships what is the general outline of the case. In the beginning of the year 1861 there was a rumour that some sailors had been washed ashore near the Rio Grande do Sul. Our Consul made inquiries, and found not only that bodies had been washed ashore, but also that there had been a wreck; and on further inquiries he found that many articles, apparently taken from a wreck, being entirely dry, and not having been exposed to the action of sea-water, were in the possession of persons residing along the coast. Upon further inquiry the Consul heard that ten bodies had been washed ashore; but he was induced rather to doubt the truth of that statement. When he asked to have the bodies produced, only four out of the ten were forthcoming, and with regard to the six, it was declared that they could not be found; but as it was said that all the bodies which came on shore had been buried in the sand of the sea-shore, the Consul thought that the excuses made to him were rather improbable. It was strange, that if all the bodies had been buried as described, six of them could not be found. Rumours were circulated, too, that persons who had landed from the *Prince of Wales*, which was the name of the vessel, had been strangled or otherwise murdered. These rumours excited a considerable degree of attention. The Consul asked that an inquest might be held on the bodies; but an inquest was prevented by persons apparently possessed of official authority, who were present with a strong armed escort. The six bodies were not produced until many months after, when they were entirely decomposed, and of course it was impossible to trace any marks upon them. It was a mere matter of probability only that these persons had been murdered, but it was at the same time a matter of certainty that the local authorities had prevented an inquiry being made into the facts and had not produced the six bodies. Upon this a demand was made on the Brazilian Government for reparation; and in the January following I wrote to our Minister desiring that a full inquiry should be made into the facts of the case. We got nothing but answers of the most evasive kind from the Brazilian Government. The Consul thought it was not fit—our Minister and Her Majesty's Government also thought that it was not fit—that such an occurrence should pass by unnoticed and without something being done to prevent a repetition of it at a future time. Another difficulty shortly after arose. Two officers and a chaplain belonging to Her Majesty's ship *Forte* were returning from a walk in the country, and on one of them approaching a Brazilian sentinel and asking him in Spanish what road they should take, he immediately struck him with the butt end of his musket. His two companions then came up; the sentinel called the guard, and the three Englishmen were taken off to the guardhouse. They immediately wrote down their names as officers of one of Her Majesty's ships, and also wrote a letter to the commander of their ship. That letter never was delivered; and next morning they were marched to Rio and placed in a very filthy gaol. At eleven o'clock next day they were liberated. This appeared to be a deliberate insult to officers of Her Majesty's service, and the case was one which it was thought required some reparation. Every device was resorted to by the Brazilian authorities to avoid this. It was first said that the officers had attacked the sentinel, then that they were drunk, and that they had not given their names; all of which statements were contrary to the facts. The correspondence began in June 1861, and it was not until October, 1862, that Her Majesty's Government felt called on to take some course to obtain reparation. There were only two courses which it appeared to me could be taken. One was to demand ample reparation from the Brazilian Government and to enforce that reparation; the other was to withdraw our ships from the Brazilian waters, and to declare to our merchantmen that they could expect no protection against similar treatment; and that if any of the crews of our merchant ships were murdered, we did not intend to resent it. That course it was impossible for Her Majesty's Government to pursue. Our Minister, therefore, did demand a moderate reparation from the Brazilian Government. He was instructed, that if instead of making immediate reparation, the Brazilian Government proposed arbitration, he should refer it home for decision before accepting it. But he found that nothing could be done. No proposal for arbitration was made, and then he had recourse to those measures of reprisals which have been complained of. I certainly cannot see anything to be objected to in this course, for it cannot be contended that when British ships are plundered and British officers insulted that we are not to make demands for reparation.

THE EARL OF DERBY:—My Lords, it is quite true that yesterday in the absence of the noble Earl I did ask when these papers would be produced, and I certainly did express a hope that they would dissipate an impression likely to be caused by the perusal of the papers published by the Brazilian Government, that our representative at Rio had acted in a manner which could not meet with the approval of Her Majesty's Government. I must say that the noble Earl has this evening taken a very inconvenient and unusual course, in taking, while merely promising that the papers shall be forthcoming, the opportunity of making an *ex parte* statement with regard to a certain portion of these transactions. This certainly is a course I never knew taken by any Minister of the Crown before. If the noble Earl had contented himself with saying that the Brazilian papers did not give the whole correspondence, and that when the papers he intended to lay on the table were perused we should be in a better position to form a just judgment on the transaction, it would have been quite sufficient in this stage of the business; but he has not only made a partial statement, but he has, I think, omitted from it altogether certain circumstances that appear to me to be material. I will not enter into a discussion of the merits of the case, for I have only seen the correspondence published by the Brazilian Government. There are many difficulties in the matter, and many conflicting statements, which probably will be cleared up. I will only say, that in reference to the case of the officers there is a considerable conflict of evidence. It may be that these officers have been grievously insulted, or that they were in plain clothes and were treated with a want of consideration which would not have been shown to them had they been in uniform or if their rank had been known. In the other case, however, the noble Earl really lays down doctrines which he will find it difficult to maintain. Here is the case of a ship wrecked upon a part of the coast which is nearly uninhabited—certain bodies are found of persons who had been washed on shore from shipwreck, or who, having reached the shore alive, were subsequently murdered. It is a suspicion—nothing more—we have nothing before us to show us how far it is supported, and on those facts a demand is made on the Brazilian Government, by which they are made pecuniarily responsible for the wreck, and are required to pay the whole value of the ship and cargo. If such a circumstance had occurred in England, the only claim which could have been made against our Government would have been for neglecting to put the law effectually into operation for the discovery of the offenders. We have no other claim of reparation against the Brazilian Government. But even if the claim were well founded, he did not see how they could be made answerable for the value of a ship and cargo which was clearly lost by stress of weather, and not by any act of the Brazilian Government. I am afraid that even in this highly civilized country there may be some remote parts in which the practice of wrecking still prevails, and Her Majesty's Government would certainly be very much astonished if they were suddenly called upon to pay the value of any ship which might be wrecked on those parts of the coast, and might fall into the hands of such persons; and if in support of a demand of this sort a certain number of British ships had been seized, matters would have been brought to such a point, that if the question had been between two powerful Governments, it would have been difficult to avoid hostilities. That is a part of the case with which the noble Earl has not dealt. It requires consideration, and I hope the papers to be laid before us by Her Majesty's Government will put a more satisfactory complexion on it than it assumes in the papers already published.

EARL RUSSELL: My Lords, if the noble Earl had contented himself with asking when these papers would be ready, I should not have said a word on the subject. My intention was to place the papers on the table without saying a word. But when the noble Earl came down to this House—I happening to be absent—and on imperfect information expresses a strong opinion that Her Majesty's representative at Rio had committed an act of injustice, it was time for me to take some notice of it. It little adds to the noble Earl's authority that he has not gone into the particulars of the cases he spoke of. With respect to the noble Earl's view of the law of nations, I doubt whether he will find any authorities to support him. It was the opinion of the Queen's Advocate, to whom I referred the matter, that if a wreck is plundered, and if the Government does not take sufficient and proper means to bring the offenders to justice, the Government that has been guilty of that neglect are liable to the demand to make good the loss that has been incurred by that neglect. We did not claim the full value of the cargo from the Brazilian Government, but we stated what the owners had demanded. We asked that it should be fairly and fully inquired into by a commission appointed by both sides, and that any items might be struck out which appeared excessive. On an occasion when an Austrian ship was wrecked on the coast of Ireland, and afterwards plundered, every means was taken to bring the offenders to justice; and, though Lord Palmerston, who was Secretary for Foreign Affairs at the time, said that the Government were not strictly liable for the damage done, still his sense of justice induced him to recommend the payment of a sum of money as compensation for the injury. And that I think is a course which any civilized country should adopt.

THE EARL OF DERBY: I can quite understand that the noble Viscount's sense

of justice and good feeling might induce him to adopt the course stated by the noble Earl; but if a demand had been made by the Austrian Minister, supported by an armed force, I venture to think the noble Viscount would not have been disposed to comply with it.

HIS ROYAL HIGHNESS THE PRINCE OF WALES — MESSAGE FROM THE QUEEN.

ESTABLISHMENT FOR THE PRINCE AND PRINCESS OF WALES.

MESSAGE from THE QUEEN *delivered* by The LORD PRESIDENT, and read by The LORD CHANCELLOR, as follows:—

"VICTORIA R.

"Her Majesty relies on the Loyalty and Affection of the House of Lords, and on the cordial Interest which they have manifested in the happy Event of the approaching Marriage of The Prince of Wales to The Princess Alexandra of Denmark, that they will be ready to concur in such Provision as may be judged necessary to enable Her Majesty to settle an Establishment for the Prince and Princess suited to their Rank and Dignity."

EARL GRANVILLE: My Lords, in accordance with the precedents on such occasions, I rise to move an Address to the Queen in answer to the Message which Her Majesty has been graciously pleased to communicate to your Lordships respecting the intended marriage of the Prince of Wales with the Princess Alexandra of Denmark. Her Majesty was graciously pleased in the Speech from the Throne to intimate that intended alliance. The reception which that passage in the Speech met with from your Lordships and the cheers with which the observations of the Mover and Seconder, and those of the noble Earl opposite (the Earl of Derby) and other Peers, referring to that passage, were received, manifested how heartily your Lordships joined with Her Majesty in the satisfaction that She must derive from an event which in Her judgment and that of Her lamented Consort will be calculated to promote the happiness of the Prince of Wales. No doubt your Lordships were anxious on that occasion to pay a just tribute to the personal character of His Royal Highness and that of the illustrious Princess to whom he is about to ally himself in marriage; but you also felt that this is an event not only interesting to the Royal Family, but likely to contribute much to the welfare of the people at large. Your Lordships embodied that sentiment in an Address unanimously adopted. I have, therefore, no difficulty whatever in asking you to agree to a Resolution which, even in the absence of those feelings to which I have just alluded, would, on constitutional grounds, commend itself to the Legislature of a country with monarchical institutions such as exist among us. My Lords, I beg to move—

That an humble Address be presented to Her Majesty, to return to Her Majesty the Thanks of this House for Her most gracious Message, and to assure Her Majesty that this House will immediately proceed to the Consideration thereof, in such a Manner as shall demonstrate their Zeal, Duty, and affectionate Attachment to Her Majesty and a due Regard to the Rank and Dignity of the Royal Family.

THE EARL OF DERBY: My Lords, if this was a question on which there could possibly have arisen a difference of opinion, I should have thought, whatever may have been the precedents, it would have been more convenient for the noble Earl to have given notice that he would move that the House should take Her Majesty's Gracious Message into consideration on some future day—which is the course, I understand, that has been taken by the other House of Parliament; but this question is one on which, whether the attendance of Peers was large or small, no difference of opinion could arise; and therefore I cheerfully concur in the Motion, and second it, if the noble Earl thinks it will be more complimentary to Her Majesty, that it should be adopted without further delay. As the noble Earl has truly stated, we have already offered our congratulations to Her Majesty on this auspicious event; for, in answer to Her Majesty's Speech from the Throne, we have taken occasion to express, both on public grounds and private, our loyal satisfaction at the approaching marriage of the Prince of Wales. The present Address is in pursuance—a fulfilment, in point of fact—of expectations which Parliament held out that we were willing to take every step in our power to give effect to the desire expressed by Her Majesty. The question, as far as it is one of Supply, more properly belongs to the other House of Parliament in the first instance; and if I am rightly informed of the proposition which is to be made to that House, I quite concur with the Government in thinking that the reasonableness and moderation of the proposition is such as that neither in that House nor in this can any exception be taken to it on financial or other grounds. It is of the utmost importance to this country that a person in the position of the Prince of Wales should be supplied with an income sufficient to keep up a becoming dignity without involving him in the danger or necessity of incurring debts. We know that the incurring of debts by former heirs to the Throne led to very unpleasant feelings between the Crown and the people. If I am rightly informed, the provision about to be proposed for the Prince of Wales will enable him to accomplish the former object without involving him in the danger to which I have just referred. I am sure that His Royal Highness, having before him the example of careful, prudent, and economical management set by his illustrious parents, will carefully avoid in the management of his Household both extremes—either a parsimony unworthy his station, or, on the other hand, an extravagance which could only lead to embarrassment. My Lords, I feel much pleasure in seconding the Motion, and am confident you will unanimously concur in the Address proposed by the noble Earl.

EARL GRANVILLE explained that the course which he asked their Lordships to follow on the occasion and that taken by the House of Commons were both in accordance with precedent.

Motion *agreed to*, *Nemine Dissentiente*; The said Address to be presented to Her Majesty by the Lords with White Staves.

ITALY—AFFAIRS OF ROME.

OBSERVATIONS. QUESTION.

THE MARQUESS OF NORMANBY then rose to call the attention of this House to the Correspondence recently presented on the Affairs of Rome; and to ask Her Majesty's Secretary of State for Foreign Affairs for some Explanation of certain Passages contained therein, referring to the Policy of Her Majesty's Government on this Subject in the year 1849? The noble Marquess said, that the words in the recently presented papers to which he intended to direct their Lordships' attention were not many. In one of the despatches contained in the Correspondence, dated the 15th of November last, it was stated that the acquiescence expressed by our Government in 1849 in respect of the occupation of Rome by the French did not imply approbation. Now, that assertion was in direct contradiction of a statement of M. Drouyn de Lhuys, who, as would be admitted by every one who had ever had any dealings with him, possessed qualifications in respect of memory which made him a most accurate chronicler of events. During the last recess his noble Friend the Foreign Secretary had thought it right to enter into communication with two Foreign Governments on two most important points, and he did so in a manner to render difficult questions still more difficult. He (the Marquess of Normanby) would first of all refer to a despatch of the noble Earl, dated the 25th of October, to the *attaché* from Turin, to be read by him to the Cardinal Secretary of State at Rome. The proposal in that despatch was neither more nor less than that it was his (Earl Russell's) good will and pleasure that the Pope should abandon his territory, give up his friends, and seek safety in flight. That was a most extraordinary course for any Minister to propose or even to think of. But that was not all, for within a week after the French Government had declared that the national honour was involved in this question, the noble Earl addressed himself to the French Government, telling them Her Majesty's Government were of opinion the time had come when the French occupation of Rome should cease. When making a communication to an *attaché* to be communicated to the Pope, certainly his noble Friend was of course perfectly at liberty to adopt with safety any tone which he thought consistent with propriety and with the dignity of the country; but the moment chosen by the noble Earl was a most inopportune one to aggravate a Government like that of France, our nearest neighbour; and if such a course of proceeding were persevered in, such a state of feeling would be produced that we might find ourselves—to use a phrase adopted on a previous occasion—"drifting into a war" before we were aware of it. He would now briefly refer to the circumstances under which the French occupation of Rome took place. These circumstances did not arise under the Government of the President, but some weeks previous to the election of December 1848. When the news reached France that the first constitutional Minister of the Pope had been assassinated on the steps of the National Assembly, and that the Assembly had continued its order of the day without taking any notice of the event, so strong was the feeling of the French people that General Cavaignac, a sincere Republican, who was then at the head of affairs, thought it was necessary to send a brigade of 3,000 men to Rome. He (Lord Normanby) had thought it his duty to dissuade the Government of the General from carrying into effect that intention at that moment; but so strong was the feeling in France, even then, to support the Pope, that the Foreign Minister, Mr. Bastiele, also a sincere Republican, had told him that the decision had cost the General a million of votes. A very few days after this the President was elected and the Republic proclaimed. On the 5th of January, 1849, he (the Marquess of Normanby) received a despatch from Lord Palmerston, from which this was an extract—

> "In regard to the present position of the Pope I have to observe that no doubt it is obviously desirable that a person, who in his spiritual capacity has great and extensive influence over the internal affairs of most countries in Europe, should be in such a position of independence as not to be liable to be used by any one European Power as a political instrument for the annoyance of any other Power; and in this view it is much to be wished that the Pope should be Sovereign of a territory of his own."

Now, there was nothing in this despatch to confirm his noble Friend's statement, that acquiescence did not then imply approbation. Lord Palmerston, it was true, always explained that he thought the restoration of the Pope would be followed by the restoration of constitutional Government; but in the state of things which then existed that was utterly impossible. Lord Palmerston was told by him over and over again that after the dreadful failure of constitutional Government three or four months before no Minister in France could venture to make such a proposal. Afterwards, when a request was made to the French Government, on the part of the Pope, that they would attend a conference at Gaeta of the other Catholic Powers for the purpose of arranging for the Pope's restoration, Lord Palmerston wrote—

> "Although Great Britain has not so direct an interest as France has in the ecclesiastical and political questions which arise out of the present relations between the Pope and the people of the Roman States, the British Government nevertheless cannot view these matters with indifference. Great Britain is indeed a Protestant State, but Her Majesty has many millions of Catholic sub-

jects; and the British Government must therefore be desirous, with a view to British interests, that the Pope should be placed in such a temporal position as to be able to act with entire independence in the exercise of his spiritual functions. . . . Her Majesty's Government have learnt with much pleasure that France has been included in the invitation addressed by the Pope to some of the Catholic Powers, and Her Majesty's Government hope, that if there is to be a concert among any of the Powers of Europe in regard to these affairs, the French Government will not decline the invitation to be a party thereto."

This despatch was dated March 9, 1849; and how his noble Friend could reconcile such a declaration as it contained with the statement that acquiescence did not mean approbation he could not understand. In his communications with Lord Palmerston he had always expressed a wish that there should be no direct interference by the French Government. The next occasion on which it became his duty to inquire whether Her Majesty's Government wished that this interference should go on was just after April 17, when the French Assembly had voted for the departure of the expedition. On that occasion he wrote to Lord Palmerston suggesting that then was the time to decide upon this point; that he did not venture to express dissent from French interference, because Lord Palmerston in no one of his despatches implied that he objected to it; that he did not well see how the French could have avoided it; but, that after having for several years endeavoured to prevent the passage of a French soldier across the frontier, he regretted that France should now be about to break the spell. The answer of Lord Palmerston was that there was a good deal of truth in all this; that if the French troops crossed the frontier, we did not know when they would return; but, at the same time, we could not object to this interference; and that if the Pope was not restored by the French, he would be restored by the Austrians. On no one of these occasions was there anything to show that the acquiescence of Her Majesty's Government was not approbation. Again, when a Mr. Macarthy came to England upon a secret mission from the Triumvirs of Rome, he was instructed to say—

EARL GREY: I rise to order. Is the noble Marquess quoting from papers which have been presented to Parliament?

THE MARQUESS OF NORMANBY: No.

EARL GREY: Is the noble Marquess reading from despatches which he had received in his official position as Ambassador?

THE MARQUESS OF NORMANBY said, he would explain.

EARL GREY: Then I think that your Lordships ought not to listen to quotations from despatches which have not been laid before Parliament, these quotations being made by a noble Lord formerly a servant of the Crown, and being made without the authority of the Crown.

THE MARQUESS OF NORMANBY said, his noble Friend had misunderstood him; he was not about to read anything, but merely to repeat what he had heard from that gentleman at the time, but he did not desire to do or to say anything that was irregular; and if there was any objection in point of form to these references, he could bring in aid plenty of other authorities. Thus, on the 20th of July, Lord Lansdowne, then the leader of this House, made in this House a speech which entirely confirmed the accuracy of the account which he had given of the matter. Lord Lansdowne said—

"I quite agree with my noble Friend Lord Brougham in the distinction drawn by him as to the peculiar character of the Papal Sovereignty, which made the Pope's authority the object of special consideration; but this is no new idea; the same opinion is expressed in Lord Palmerston's despatch to Lord Normanby. The sovereignty of the Pope has a peculiar character. As temporal Sovereign he is only a Sovereign of the fourth or fifth order, but as spiritual Sovereign he occupies the very first rank. The authority which he possesses, the influence which he exercises over every country in Europe, indeed over the whole world, has nowhere any equal. There are, therefore, on this account special reasons for the interference of other States. The Catholic nations are therefore peculiarly called upon to take care that the head of their religion shall not be perverted into the instrument of the temporal ambition of any one. There is no country where there are Catholic subjects which is not profoundly interested that the Pope should be able to exercise his spiritual authority without having to encounter any obstacle attacking that spiritual authority." [3 *Hansard*, cvii. 707.]

This was the opinion of Lord Lansdowne, expressed by him in 1849 as leader of this House, with respect to the French occupation. He never expected at this interval to hear, after all the proofs he had read to their Lordships, that the Government of that day in their acquiescence did not imply approbation. But as to the question itself, he would call the attention of his noble Friend to another subject which was raised not by one connected with the country, but one who had great authority on Roman questions—he meant M. Farini, present Prime Minister of Italy. He had on former occasions referred to the personal character of M. Farini freely in reference to his conduct as Piedmontese Commissioner in Modena; but as an historian he believed he stood very much above all the revolutionary scribblers of the day. M. Farini published a book in 1852 which was translated by Mr. Gladstone. He knew his noble Friend was not very ready to acquire any information from hostile sources, but he could not object to the authority he now adduced. He had tried to get hold of Mr. Gladstone's book, but he had not been able to do so; he could not therefore give M. Farini the benefit of Mr. Gladstone's English, but the following was a faithful translation of the original:—

> "A distinguished Italian writer not long ago advised the Pope to throw off the weight of the temporal power, but he did not at the same time tell him that so long as the existing constitution of the Papacy is in being it is out of his power to do so. There was the *non possumus* of the Pope; for himself the Pope can make a sacrifice, not for his successors."

Again—

> "It is said that the temporal power is in its last agony, and that opinion condemns it; but in my opinion many successive generations will descend to their tombs before the Papal sovereignty perishes."

Again—

> "I hold it is difficult that Italy, at her good pleasure, with everything in her favour, should become an entirely independent nation, but that it is almost impossible that at her good pleasure she should, I will not say destroy, but even forcibly diminish the power of the Pope."

These were the opinions of a person who had been two or three times Minister of Victor Emmanuel, and who was at this moment Minister of Turin.

He was very much struck, as every one must be who read them, with the inaccuracy as to fact of his noble Friend's despatches. In the despatches addressed to Mr. Odo Russell there was a constant allegation of successive facts, all bearing on the state of things which was shown not to be correctly founded by the distinct disclaimer of Mr. Odo Russell of the truth of the reports referred to. A few words upon the style of these despatches, which was extraordinary as the purport. On what possible authority did his noble Friend state?—

> "The name of religion has been used as a justification of civil war. We see conflicts of unusual atrocity take place under the pretence of being necessary to vindicate the temporal authority of the Pope."

He (the Marquess of Normanby) said that the whole of the assertions in this paragraph were utterly groundless. The name of religion had never been so used—no contests had been carried on to vindicate the temporal power. Those contests had been the uprising of whole populations, to vindicate their attachment to their native Sovereign, against the usurpation of the invader. Here, then, was a grandiloquent outburst of his noble Friend, to which he should make no exception, but to change two words, and say "Naples" for "Rome," and "Victor Emmanuel" for "the Pope." He (the Marquess of Normanby) would say, with more truth, "Must Naples be the seat of a perpetual foreign occupation? Must brigandage for ever ravage the fertile fields of Southern Italy? God forbid such a calamity! God forbid that Victor Emmanuel should be the instrument of encouraging his countrymen eternally to mutual hatred and sanguinary civil war!" He thought his noble Friend might occupy himself with something that concerned him more than the present spiritual authority of the Pope over the Roman Catholics of Italy and Europe. There were no symptoms of its decay in the meeting of all the most distinguished Prelates of that faith at Rome last year. It was well known that at such a juncture there were always found hired informers, who showed great anxiety to furnish information to parties which it was supposed would be most agreeable for them to receive. But of all instances of this kind he never saw two such simple victims of mystification as the noble Lord opposite and Mr. Odo Russell. He spoke of Mr. Odo Russell with great respect and regard, but he could not say that his late campaign was very brilliant, or added much to the value of his public services. There were, according to Mr. Odo Russell, only 500 brigands in all the Neapolitan territories, and it was not said how many of them had been shot in cold blood, besides those burnt out or destroyed in the villages which had been sacked. Can there be anything more absurd than the gossip with which he entertained General Montebello, stating that the national outbreak which for two years has pervaded the whole Neapolitan territory was produced by individuals going singly to the frontier, where arms and red trousers were sent in "herring barrels" to meet them? How many of these imaginary warriors in red trowsers, with German or Spanish names, were found amongst the thousands who were shot in cold blood hundreds of miles from the Roman frontier? His noble Friend, in his despatch to Lord Cowley of the 15th of November, 1862, said—

> "The only new argument brought forward by M. Drouyn de Lhuys consists in a reference to the events of 1848 and 1849, and the acquiescence of Her Majesty's Government in the French occupation of Rome at that time. But acquiescence did not imply approbation, still less would approbation then imply approbation now. Your Excellency rightly argued that the whole state of Italy has altered since that time; the state of Lombardy, Modena, Parma, Tuscany, Romagna, Umbria, the Marches, and the kingdom of the two Sicilies has altered; in short, everything has changed, except the French occupation of Rome."

He joined issue with that statement of his noble Friend. King Charles Albert during the revolution of 1848 held Lombardy, but after being defeated by the Austrians he was pelted and hissed out of Milan. Tuscany at that period was a republic. At that time the hands of the revolutionary dial pointed to a different hour in the various Italian States, some being more and others less advanced on that unceasing cycle from destruction to reaction and from reaction back again to destruction, which had been witnessed of late years. On the 3rd of February, 1852, Lord John Russell spoke thus in the House of Commons—

> "Four years ago we were astonished with news of insurrections in most of the capitals of Europe, and of a general, or something very like a general, establishment of the most democratic constitutions. I heard hon. Members in this House express their great joy at the establishment of these constitutions; but I could not participate in their joy or praises of what had occurred. I said I looked upon these events with mixed feelings—glad if they should turn out to be events which promoted the liberty and freedom of the nations of Europe, but being by no means confident as to that result. We have now seen four years pass over, and we have witnessed in almost all the countries where these democratic constitutions had been established absolute power put in their place. For instance, in that little country of Tuscany, in which I lived for several months under the benignant rule of a most mild and enlightened Government, we have seen that country overturned by democracy; we have seen the Grand Duke driven from his dominions by the party who seeks what is called Italian unity; and we have afterwards seen that democratic Government suppressed, and the Grand Duke restored to absolute power." [3 *Hansard*, cxix. 102.]

He should like to ask the noble Earl what was the meaning of the most extraordinary public document in which it was stated that the Admiralty had been directed to communicate with Admiral Martin with the view to the placing of a ship of our fleet at the disposal of the Pope? It was most desirable that their Lordships should know the precise circumstances under which that letter was written, in connection with Garibaldi's threatened advance upon Rome. On the opening night of the present Session his noble Friend was reported to have said—

> "But I confess that to see two countries, to which such great recollections belong as Greece and Italy, rising again into freedom, independence, and happiness, is a great pleasure to me; and it would, I think, be a great glory to the Government of Great Britain to have contributed to such a result."

Now, where, in all that peninsula, were freedom, independence, and happiness now to be seen? Were not the Italian Government at that very moment plunged in financial ruin, and struggling to extricate themselves by means of an enormous loan? In a paper supposed to act under the inspiration of Her Majesty's Government, *The Observer*, of last Sunday, there was a letter signed by a prisoner taken at Aspromonte, in which it was stated that nearly 100 Garibaldians were now immured in prison at Palmero, almost in a state of nudity and with chains of 18lb. weight attached to their feet. Condemned to death for being found under the banner of Garibaldi, the sentence of these men had been commuted to the galleys. No wonder if upon this that Government organ, *The Observer*, remarked—"What shall we say or think of the Government of a country which thus rewards the best and bravest of its citizens?" Without adopting literally such a definition of these men, when the eternal rules of right and wrong had been set at nought systematically by the Piedmontese Government, it was not surprising that those whom that Government had two years ago hailed as Patriot Liberators were now for pursuing the same course by the same Ministers thrown into dungeons and loaded with chains. It must, he thought, also be some drawback to his noble Friend's perfect satisfaction with the result of his Italian policy that he had been unable to relieve the unparalleled sufferings of an English gentleman (Mr. Bishop) now confined in an Italian prison. Within the last week a statement, often before made, and he believed never contradicted—made, too, on the authority of a Parliamentary Commission appointed at Turin—had been repeated in the French Chambers, that within the last two years 7,000 persons had been shot by Piedmontese troops in the Neapolitan territories. Certainly, if his (the Marquess of Normanby's) policy had contributed to one iota of that bloodshed, he should not have looked back to his policy with those feelings of satisfaction which Her Majesty's Government seemed to entertain. He had formerly called attention to these matters, because everything which was likely to displease the Piedmontese Government had until lately been omitted from the papers, and because there was no other way of laying the facts before the world ; but there was no longer this state of things existing. Whenever the noble Earl should cease to exercise the functions of Foreign Minister, there would be found among his despatches of the last three or four years so many contradictory expositions of policy that it would be marvellously difficult to know how to reconcile them. They were all intrinsically of the same value, but there was one which should not be forgotten—that in which the noble Earl laid down the principle that the King of Sardinia must recollect that his occupation of territory was merely provisional and no territorial changes should be final without the assent of the Powers of Europe. He purposely abstained from saying anything upon the present state of Italy, but he trusted the time would come when non-intervention, which had been so perverted by the noble Earl, would become a reality and an admitted truth.

EARL RUSSELL:—My Lords, it is certainly somewhat difficult to collect the exact object which my noble Friend has in view. I had understood that his main object was to show that my statement—"that although we acquiesced in the military occupation of Rome in 1848, that acquiescence did not imply approbation" —was unfounded. The notice of my noble Friend made me look into the papers of 1849, and I find such abundant evidence that I was quite right in what I stated that I should weary your Lordships if I attempted to go through a quarter of the documents. But my noble Friend diversified his argument with many—I will not say invectives, but many observations, against the policy which I as the organ of the Government thought it my duty to pursue, and with many criticisms on the Italian Government. With regard to the criticism on the Italian Government, I should say that while it was a question whether that Government would form an established Power in Europe I thought it was incumbent on us, who took a more favourable view of that question, to refute unfounded stories and rumours which were collected from all the absolutist newspapers in Europe, and to set the Italian Government right before this and the other House of Parliament. But the time for that is gone by. The King of Italy has been recognised by Her Majesty, by the Emperor of the French, by the Emperor of Russia, by the King of Prussia, and by the King of Portugal—in short, with the exception of Austria (who has taken her own course and has her own views in reference to this subject), and with the exception of Spain, the King of Italy has been recognised by all the Powers of Europe. Italy, therefore, is now a State of 22,000,000 inhabitants, increasing in commerce, increasing in wealth, enjoying free institutions, and having a Parliament and a press by which the conduct of her Government may be criticised with the utmost freedom. I consequently hold that it would be quite out of place for me now to defend that Government, or to enter upon a discussion of what was right or wrong in dealing with a treasonable conspiracy, or a tumult, in a particular town. I leave that to the Opposition at Turin, and to the Government who have to meet that Opposition. I do not think that we, in this House, need trouble ourselves with the details of the internal Government of Italy. My noble Friend talks of Piedmontese troops, of a Piedmontese army, and of Piedmontese occupation. It is an entire misnomer. Not more than—if quite as much as—40 per cent of the Italian army consists of Piedmontese. It consists of soldiers and officers from Tuscany, from Romagna, from the Neapolitan Provinces, and from Sicily. It is truly an Italian army. Italy has realized that which was so long an object of aspiration to her poets and an object of ambition to her statesmen—a position of independence, and she is as much to be respected and treated as an independent State as any established Power in Europe. With regard to the observations which the noble Marquess made frequently in the course of his speech as to advice which I gave from time to time, whether to the Government of France or whether to the Government of the Pope, I have been misled perhaps by the *dictum* of my noble Friend. Looking through the correspondence of 1849, I find an opinion which my noble Friend gave to Lord Palmerston in these words—

> "If England gives advice consistent with her disinterested desire for the progress of rational liberty, then, if her advice is taken, she has the credit and the satisfaction of having acted up to her principles; and if it is disregarded, it is consistent with her known habits of non-interference to consider that she retires from the affair without discredit."

I have been misled, perhaps, by my noble Friend's authority. I thought it was a canon of British diplomacy, and now that I, as a humble pupil, have endeavoured to follow that direction, my noble Friend comes down and scolds me for being such a pupil, and for giving advice favourable to rational liberty. Then my noble Friend says Lord Palmerston gave an opinion in favour of the Pope being an independent Power. I need not now revert to the different circumstances at the present time; but there does run through the speech of my noble Friend, and, looking at his despatches, there runs through his conduct as Ambassador, a want of perception of the main difference, which Lord Palmerston constantly kept in view; and though it was constantly kept in view by Lord Palmerston, and though Lord Palmerston tried to impress it in the clearest language upon my noble Friend, he seems never to have appreciated that distinction. The distinction is this. Lord Palmerston said it would be very advisable that the Powers should meet and give advice to the Pope and the Roman people—that they should endeavour to induce the Pope to give large reforms and grant a representative Constitution, and that they should advise the people to believe in those promises and to submit to authority. Lord Palmerston said it would be an excellent thing if it could be accomplished in that way; but he said, if that were to be carried into effect by arms, such an intervention, which was bad in principle, would be sure to produce great evils in practice. My noble Friend quoted from the despatch of Lord Palmerston of the 5th of January, 1849, and in the same despatch Lord Palmerston wrote—

> "On the other hand, if it be admitted as a general principle that questions and differences between the people and the Sovereign of each State should be left to be settled by those parties without the interference of any foreign armed force, it is not easy to see, in the peculiar position of the Pope with regard to his subjects, what should make the Roman States an exception to this general rule."

Therefore, in the same despatch, Lord Palmerston publicly protested against that intervention, which he properly called "the interference of an armed force." Again, on the 12th of June, Lord Palmerston wrote—

> "I have to state that Her Majesty's Government very much regret that a combination of circumstances should have rendered it necessary, in the opinion of the French Government, to order the commander of their expedition to force an entrance into Rome."

Both these are extracts from papers which have been presented to Parliament.

THE MARQUESS OF NORMANBY:—My recollection has only been refreshed by such despatches as have been presented to Parliament. I have no access to other documents.

EARL RUSSELL: These despatches which I have now quoted have been presented to Parliament, but I shall be happy to give the whole, or extracts from the despatches which I quote, and which have not been presented to Parliament. In a despatch of July 3, 1849, Lord Palmerston writes to the noble Marquess—

> "But in a matter so difficult, and at the same time so important, failure as well as success must be provided for; and her Majesty's Government, therefore, are desirous of knowing what are the views of the French Government as to the course which they contemplate pursuing in the event of such an arrangement as that above mentioned being refused either by the Pope or by the Romans, or by both. It is evident that either of these three contingencies would create a state of things pregnant with results of general and European importance; and Her Majesty's Government would be glad to be informed what are the views which the French Government have formed to themselves thereupon. Her Majesty's Government are not at present in a condition to express any formed opinion on these matters, beyond observing that a prolonged occupation of the city or territory of Rome by the troops of any foreign Power would be, with regard both to its principle and its consequences, a thing much to be deprecated, and greatly to be avoided."

Your Lordships will allow, I think, that when I said acquiescence did not imply approbation, I was not misrepresenting my noble Friend's opinions on this point. About the same time my noble Friend (Viscount Palmerston), in answering a question put to him by Mr. Roebuck in the House of Commons on the 22nd June, stated that the House would see by the papers that had been produced that Her Majesty's Government had from the outset deprecated any armed intervention by foreign Powers in the internal affairs of the Roman States; that they had declined to be parties to the negotiations carried on at that time, and therefore could not speak from certain knowledge as to what had been the course of those negotiations. My noble Friend opposite says there was very little difference between our policy and that of the French Government. We only thought a certain thing ought to be done by negotiation instead of an armed interference; but, instead of that being a slight difference, it is the whole essence of the question at issue. If my noble Friend will excuse me for reading another despatch, I will just read a short extract from one written by Lord Palmerston to Lord Ponsonby at Vienna, dated July 13, 1849. My noble Friend there says—

> "A restoration of the Pope to his former unlimited authority by the force of foreign arms, setting aside the injustice of such a measure in point of principle, could only be looked upon as a temporary arrangement. The grievances and abuses which would accompany such a restoration would now be far more forcibly felt by the Roman people than they were at a time when the Romans considered such abuses as their natural inheritance, and when they never had known a better state of things with which to compare them; but now that the Romans have been for many months free from the evils of their former Government, a return to those evils would produce infinitely greater discontent than that which has up to this time existed. It is evident, therefore, that in such a case tranquillity would last only as long as the presence of a sufficient foreign force kept down the discontents of the people, and that whenever that foreign force was removed renewed disturbances would break out; and such a state of things would not be productive of that tranquillity which the Austrian Government must naturally wish to see established in Italy."

My noble Friend there foretells most clearly the consequences which a foreign occupation would produce, and he points out, that when that foreign force was removed, renewed disturbances would break out, and the tranquillity of Italy would be as much unassured as ever. This is the result of my search into the opinions of my noble Friend at the head of the Government on this point. It certainly shows, that so far from approving of that military occupation, he foresaw the evils that would flow from it; and now, at the end of thirteen or fourteen years, we find that exactly that state of circumstances has arisen which he so sagaciously foretold. My belief is, and it is confirmed by the perusal of these despatches, that the military occupation of Rome was a measure repugnant to the feelings of the Emperor of the French. I believe the Emperor entered into it most unwillingly, and unhappily he has never since seen the time when that occupation could be brought to an end with safety to the Pope or with the favourable opinion of his own people. On the 19th of August the noble Marquess opposite then described to Lord Palmerston the opinion of the then President of the Republic as to the occupation—

> "The President, as he was the last to assent to the expedition to Rome, has been the most constant and energetic in his determination that the restoration effected by his means should not be one of pure clerical despotism."

The reforms which the President expected to result from this occupation were:—1. A General Amnesty. 2. The Code Napoleon. 3. Liberal Administration. 4. Secularization of Power. Let us see, then, how far these measures have been carried out by the occupation. And here I will say, notwithstanding the observations which my noble Friend opposite has made on this point, that I consider that as a Member of the English Parliament, setting aside any official capacity, I have a perfect right to criticise and to blame the act of any foreign Government which I think inconsistent with the general principles of international law, or liable to produce general evils. It certainly is my opinion that the military occupation of Rome, being, as every one allows, an act contrary to the general principles of international law, has been a misfortune to France, whose generous efforts in favour of Italy have thus been rendered liable to misconstruction. But what were the first consequences of that occupation? Did the reforms take place which my noble Friend says were looked forward to from this occupation, and for which the President of the Republic was so anxious? In the same year a despatch was communicated to this Government, which gives a pretty good answer to that question. It has never been included in any of the documents laid before Parliament; but I do not think there can be any mischief in reading it now. It is a despatch from the French Minister of Foreign Affairs, M. de Tocqueville, to M. de la Cour, his minister at Vienna. M. de Tocqueville says—

> "The complete re-establishment of the abuses which had been most decried under the old *régime*; wholesale destitution; the placing under suspicion of all public functionaries, whose conduct during the continuance of the Republican Government is submitted to an odious inquisition; the disgrace or exile of men who, while refusing to acknowledge the revolutionary power, have manifested liberal sentiments; in some provinces measures of terror which seem to belong to other times—such are the chief acts which have inaugurated the restoration of the Pontifical Government; and everything indicated that this

Government, left to itself, or rather to the fatal influences which dominate it, would go still farther in this deplorable direction. As for the reforms so often promised, they are limited as yet to vague declarations, the significance of which each fresh explanation tends to lessen."

I must say that this correspondence confirmed me in one opinion, which I had long entertained—namely, that the Papal Government is conducted on principles totally different from those of other civilized Governments which prevail in our day. The Government of the Pope is founded on this principle—and the present Pope, benevolent as he is, has acted on it—that the Government is strictly a paternal one; that its subjects are to be treated as if they were children; that nothing is to be taught different from what orthodox Catholic doctrine would sanction; and that with regard to discussion in the press, none ought to be allowed which tends to create doubt in men's minds. Then, with regard to the punishment of crime, it is conducted on the principle that the object of criminal justice is not so much to punish persons guilty of murder and other atrocious crimes as to bring them to a state of repentance and reformation. Expectations of the amendment and reformation of the worst of criminals are indulged in by the Government of Rome, though no other Government would expect much in that way from men who had committed half a dozen murders and perhaps twenty other crimes of an aggravated character. A Roman Catholic Gentleman, a Member of the other House of Parliament, has published an account of his travels through Rome, in which he states that nothing can be more benevolent than the conduct of the Pope. He says that his Holiness went from one hospital to another doing various acts of kindness to the patients, whom he treated as his children. This may be; but the administration of criminal justice is so bad under the Papal Government as to be unparalleled by that of any other country in enlightened Europe. If you look to any of the great countries of Europe—if you look to France or Austria —you will find that they act on a totally different principle; on the principle that their subjects must be left to follow their own religious convictions, and that in the ordinary business of life they must be left to regulate their own fate. It is therefore, I believe, quite impossible that the Government of the Pope can ever be assimilated to those of the other countries of Europe; the subjects of the Pope are justified in complaining that they are ill-governed; and to maintain such a Government by force is only to give up the Roman people for all time to bad institutions such as those from which they at present suffer. Here are a considerable population who are ill-governed, who are kept in darkness; and when they wish for freedom, it is not a just action, it is not a politic action, to keep them by the force of another Power from the accomplishment of their desires. My noble Friend has said a great deal of the wishes of the Italian people; but the Italian people have made a Government for themselves; and if the Roman people were allowed to join them, there is nothing they would like so well as to join the rest of Italy, and to enjoy the strong Government which the rest of Italy enjoys. My noble Friend, in speaking of these matters, referred to one or two instances of what he considered cruel conduct on the part of the Italian Government. One was the case of Mr. Bishop. Now, there is no matter in which I have taken more pains than in that of endeavouring to have justice done to Mr. Bishop. He was fairly tried, and he was condemned to what was thought to be a cruel punishment. That, however, was the sentence of a duly constituted tribunal; but the mercy of the King has interposed so far that that portion of the sentence by which Mr. Bishop was condemned to hard labour has been remitted. He is now confined in a fortress where he is able to exercise. The tribunal before which he was tried was, I believe, a perfectly legal one. It is not for me to say whether the conclusion arrived at was one in accordance with Italian law; but it is in accordance with the custom prevailing all over Europe that persons found guilty of conspiracy in the crime of high treason should suffer for it. I may observe, that the present state of Italy is, after all, the state which was desired three centuries ago by the most acute and able of her political leaders. It is the state which was predicted over and over again by French Ambassadors at Rome. I hope the notice of my noble Friend has been attracted to a book or pamphlet lately published in France called *The Temporal Government Judged by French Diplomacy,* in which are to be found the opinions of French Ambassadors, from the 17th century down, to the Roman Government. In 1814 or 1815 the French

Ambassador told his Government that the dissatisfaction excited by the Papal Government would necessarily create a desire for Italian unity, but that Italians could do nothing of themselves; that they only spoke and wrote and complained; but he added, that if ever a great Power came to their assistance, the yoke which they all detested would be thrown off. We have seen the realization of these prophecies in part; we have seen Italy become an Independent State, except for the foreign occupation of Rome. I believe that foreign occupation will cease as soon as the French people see that they are not doing justice to the Italians by continuing it, and I believe the Emperor will be the first to hail that opinion of the French people; and then I hope—though my noble Friend may think me wrong—that the Pope may take refuge in Malta, or in Spain or Austria, or any other place where he may think he would be most independent. With reference to the offer which my noble Friend condemns, I will remind him that the Pope sent for Mr. Odo Russell. For what reason he did so on that occasion I cannot tell; but he did send for Mr. Odo Russell, and spoke to him at great length on the state of Italy and on the progress of Garibaldi, and his apprehension that that progress might be carried still farther. He then asked Mr. Russell pointedly whether, in case he should take refuge in British territory, he would be hospitably received. My noble Friend thinks I was wrong in giving an answer to that question; but, my Lords, considering the venerable character of the Pope—considering that he is impelled by his conscience not to give those reforms which he is asked for, I cannot think I was wrong in offering him an asylum in British territory, where he would be perfectly safe and free from all disturbance and danger. I know the Pope expressed himself in terms of grateful acknowledgment for the proffered hospitality of England while stating that it was not his intention to accept it at the present moment. In conclusion, my Lords, I have only to reiterate my opinion that it would be for the benefit of the Italians and of Europe if Rome should become the capital of Italy and cease to be the ground of foreign occupation.

THE EARL OF ELLENBOROUGH:—My Lords, I do not think that any practical advantage can be gained by referring to transactions which took place thirteen or fourteen years ago; and upon this occasion I only wish, in regard to a very recent occurrence, to express the very great satisfaction with which I have observed the conduct of the Administration—the really Italian Administration—which has of late been appointed by the King of Italy, in declining at present to enter into any negotiations with respect to what is called the Roman Question. In adopting that course, they are acting with a true sense of the dignity of the country they represent. They justly appreciate its interests, and they are almost for the first time showing that firm independence of feeling on which alone Italy must rely for the respect of foreign nations and for that consideration which she ought to enjoy. I see that in one of the French Chambers it has been declared that at Turin they no longer talk of Rome. But is it because they no longer talk that they no longer think? The people of Italy generally think the more of Rome because they speak of it so little; but instead of endeavouring by negotiation with the Emperor of the French to effect their object, they determine to obtain its ultimate accomplishment by giving a thoroughly good government to their country and by making her strong in arms. I am convinced that if the Italian Government—and I see with satisfaction that the Italian Parliament have shown from the first an aptitude for the adoption of Parliamentary government which has not been exhibited by the possessors of other recent constitutions—I am convinced that if the Italian Government determine by every means in their power, by reforming and perfecting their institutions, to establish throughout Italy a strong constitutional system, if they succeed in inspiring every Italian with gratitude to the government for benefits received, and if the Italian people are prepared to stand by them in every effort they may be required to make for the preservation of Italian independence, if they show in the very confines of that mediæval despotism which exists in Rome a steady adherence to a really good government, even on the very side of the hill from which the bandit looks down—I say it will be impossible in the presence of that contrast for all Europe not to combine in admitting the Italians to Rome. I was glad to hear the noble Earl (Earl Russell) state—and I entirely agree with him upon the point—that it is impossible to believe that a man of sense and judgment like the present Emperor of the French can, in his own mind, have any hesitation as to the course which it is most for the interest of France to pursue in this case. He may not feel himself strong enough at home to do that which he thinks right, but he must have a desire to consummate and complete the great work which he commenced—to do that which more than anything he has yet achieved will in distant ages tend to his honour and immortality—namely, to establish in the South of Europe a new great State, which, in the natural exercise of its independence, will more than any event which has taken place for more than a century conduce to the future peace and tranquillity of Europe. This is my conviction; and we must not forget that it is a matter of the very highest importance, not only to every Roman Catholic State, but to every State which has Roman Catholic subjects, that the Pope should be restored to real independence. This is the universal object of all Italy. I cannot consider that the present position of the Pope is one that conduces to the respect of the Roman Catholic world. I cannot think it conduces to the free and legitimate exercise of that valuable authority which he possesses over a very large portion of Christian Europe. The time will come when this occupation of Rome by France will cease. It is contrary to the interests of France herself; it is contrary to the interests of Europe; and that which may now for a time be postponed by what is called Roman Catholic feeling in France will at no distant period be called for by the universal feeling of the whole body of Roman Catholics throughout Europe. I look forward to the time when the Pope, restored to real independence, may exercise his authority in the Vatican while the Parliament of free Italy conducts its deliberations in the Capitol.

The Marquess of NORMANBY made a brief reply, which was inaudible.

House adjourned at half past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 17, 1863.

Minutes.]—New Member Sworn.—For Devonport, William Ferrand, esquire.

Select Committees.—Inland Revenue and Customs Establishments, *appointed;* Private Bill Legislation, *appointed.*

Public Bills.—1°—Prison Ministers [Bill 24].

Considered as amended.—Illegitimate Children (Ireland) [Bill 13].

LIVERPOOL LICENSING BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Lord FERMOY said, he rose to move that the Bill be read a second time that day six months. He objected to the Bill on account of the mode in which it was introduced. He contended also that it involved a proposition interfering with the social rights of the people. If any such measure were introduced, it ought to be brought forward by her Majesty's Government, and ought to extend over the whole country. The effect of this Bill would be to repeal a number of Acts of Parliament and to do that only so far as related to Liverpool. It proposed, in short, to establish complete free trade in licensing in that town, inasmuch as, if passed into a law, the magistrates would under its operation be obliged to grant licences to any number of persons in a street who were the occupiers of houses of the value of £50 per annum, and who could not be proved to be of bad character; so that the whole or any smaller number of houses in a particular locality might be converted into public-houses almost at pleasure. Now, he was as earnest an advocate of the principles of free trade as any man who listened to him; but the system of thus licensing houses in towns was one into which, in his opinion, it ought not to enter. The magistrates ought, he thought, to have it in their power to take into account, over and above the facts that the man applying for a licence lived in a house of the value of £50 and had not garotted anybody, the additional consideration whether it was for the good of society in the place that the licence should be granted. If the Bill received the assent of the House, the result would be that the magistrates would be subject to the alternative of either granting a licence to everybody, or of rendering themselves liable to a *mandamus* to compel them to do so. The fact was, the question had at Liverpool, as he understood, been made a party one; and if that were so, he thought it was a great mistake. The noble Lord concluded by moving his Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Mr. HORSFALL said, he would beg leave to assure the noble Lord that he had fallen into a great mistake in supposing that this had been made a party question at Liverpool. The necessity for the Bill had arisen in the difference of opinion which existed among the magistracy of Liverpool with respect to the granting of licences; one section being desirous that certain restrictions should be imposed in such cases, while there was another section disposed to grant licences almost indiscriminately. To obviate the difficulties which were in consequence occasioned, it was deemed desirable that the present Bill should be brought in, and he thought the provisions of it would commend themselves to every hon. Member who read them. It would be found that the persons applying for licences should not only be of good character, but should find sureties for their good conduct. It was also required that no licence should be granted to a house rated at less than £50 per annum, and the cost of the new licences was to be £30 each per annum, while as to existing licences it was agreed that fourteen years should elapse before parties now possessing licences should be called upon to pay the higher rate for them. The Bill was mainly framed on the Resolutions of a Committee of that House which sat in 1854. As to the advisability of such a measure being introduced for the whole country, the particular circumstances of each locality should be taken into account; for instance, in Liverpool 1,540 licences had been granted, while in Manchester, with a larger population, there were only 600; and on a recent occasion 124 new licences had been granted in Liverpool, while at Manchester almost every licence was refused. The Bill was not a Bill promoted by the licensed victuallers of Liverpool, but it had received the general support of the people of the town; and he believed that only one petition had been presented, and that not against it, but in favour of a clause being inserted for the purpose of requiring all public-houses to be closed on Sundays. He trusted, therefore, that the House would allow the Bill to proceed.

Mr. AYRTON said, he wished to call the attention of the House to the important principle involved in reading a second time as a Private Bill the measure under discussion. It could not, he found, looking at the Standing Orders, which embraced forty different categories under which Private Bills might be ranged, be classed under any one of them, while there were several rules relative to the bringing-in of public Bills which had been evaded by its introduction in its present shape, inasmuch as it proposed wholly to alter certain general regulations relating to the revenue and the conduct of trade. Every measure of that nature ought to be introduced in a Committee of the Whole House; and further, any measure which imposed a charge upon the people ought to be submitted to that House on the responsibility of the Government and with the assent of the Crown. The Bill had not been so introduced, and he therefore thought it ought not to be proceeded with any further. The question for the House to consider was, whether, by assenting to the second reading of the Bill as it stood, they were prepared to take the first step in the substitution of private for public legislation on the subject of licensing. The law, he maintained, on the subject was sufficiently intelligible; and if magistrates chose to quarrel among themselves when called upon to execute it, the course to pursue was to appeal to the Lord Chancellor for redress.

Mr. MASSEY said, the objection of the hon. Member for the Tower Hamlets (Mr. Ayrton) was that the Bill ought to have been introduced by a Resolution of a Committee of the Whole House. No doubt Bills of a public character relating to money or taxation ought to be founded upon a Resolution of a Committee of the Whole House. The reasons for such a regulation were somewhat antiquated; but however forcible they were, and although the regulation had been established long before Private Bills existed, it was not thought expedient to extend it to Private Bills. The objection, therefore, of the hon. Gentleman, he thought, wholly untenable. It had been also argued that the measure would establish the principle of exceptional legislation, which was said to be highly objectionable upon such a question as that involved. But it could not be denied that the principle of exceptional legislation had already been laid down in regard to particular bodies and individuals. The question, then, arose whether there was anything in the matter entitling the people of Liverpool to be heard before a Committee above stairs. He thought there was. Liverpool contained a population of nearly 500,000. An immense trade and commerce were carried on within the town. The magistrates of the place had expressed themselves favourable to the enactment of such a measure of police as the present Bill really was. The Bill, too, was mainly founded upon the Report of the Committee of 1854. Under all those circumstances he thought it was only reasonable that the promoters should have the power of satisfying a Committee upstairs, if they could do so, that Liverpool was entitled to this special legislation.

MR. HARDY said, the more he considered the measure the more satisfied was he in his own mind, that it was not a question that ought to be referred to a Select Committee. He denied that the recommendations of the Committee of 1853 and 1854 were in favour of a measure of the kind under consideration. So far from the proceedings of that Committee being a ground for enacting such a measure as the present, they went to show that the difficulties in the licensing system were such as to demand a general Bill upon the subject. The measure was not merely one of police regulation, it involved the comfort and happiness of a whole population; it involved considerations of the most serious and important character. He thought that they would be establishing one of the worst precedents if they referred a matter of such a character to a Committee of five Gentlemen upstairs, who would deal with it as they thought fit, and only afford the House the opportunity of deciding upon so momentous a question upon the third reading of the Bill. It should be also recollected that the Bill was one for which the Government were actually waiting in order to found a precedent. The right hon. Baronet the Secretary for the Home Department had told them that he was delaying his own general licensing Bill until he saw the result of the present proceedings—that he was preparing a measure to apply to the licensing system of the whole Kingdom. Why, then, should that exceptional legislation be proceeded with? It was impossible to form a fair judgment of the results of the working of such a measure as the present until it had been for years and years in operation. In conclusion, he should oppose the second reading of the Bill on the ground that the system of licensing extending over a population of half a million of people was not one that ought to be decided by a Committee of five Gentlemen above stairs, but ought to be established by a public Bill, and submitted to Parliament in such a shape as would afford the fullest opportunities for the consideration of its principles and their effects upon the country generally. With the greatest reluctance, he felt himself compelled to oppose the Motion for a second reading.

MR. W. WILLIAMS said, he hoped that the right hon. Gentleman the Home Secretary had no intention of adopting in any measure with reference to the licensing system the principle of the Bill before the House.

MR. J. C. EWART said, that there was no quarrel among the magistrates of Liverpool. No petition had been presented against the Bill, which had been brought forward with the general approbation of the inhabitants of Liverpool. He hoped, therefore, that the House would allow the Bill to go to the Committee upstairs.

SIR GEORGE GREY said, that notwithstanding the observations of the hon. Member (Mr. Hardy), the present measure was essentially one of police regulation regarding the licensing system of Liverpool. The great reason why they enacted regulations regarding public-houses, was to protect as far as possible the morality of the people. Now, a police Bill might be very applicable to certain large localities, though not quite suited to the entire kingdom. Considering that the magistrates of Liverpool were desirous of the Bill proceeding, he thought it would be too bad to refuse the promoters an opportunity of establishing their claim for special legislation before a Committee of the House, where it would be equally open to the opponents of the measure to show cause against it. As to the objection of the hon. Member (Mr. Hardy), that the question involved was far too important to be settled by a Committee of five Gentlemen, that objection might be removed by a special Motion to refer the Bill after it had passed the Select Committee to a Committee of the Whole House, as had been done on certain extraordinary occasions. He (Sir George Grey) believed the principle of the measure to be valuable; and should it be found applicable to Liverpool, he thought it would go far to remove objections to the licensing system generally.

MR. HENLEY said, he thought a great question arose upon the proposed mode of legislation. A few years ago they had the same thing tried in respect to Manchester education. In considering that Bill the great inconvenience was felt of enacting a general principle by means of a local Bill. The same objection precisely applied to the present state of things. He thought that the subject was one which ought to be dealt with generally. He was at a loss to know by what process they could make this a hybrid Bill, by having it referred to a Committee of the Whole House after it had come down from the Committee of five Gentlemen upstairs, as the right hon. Baronet suggested. If the principle of the measure were sound, and the Government were prepared to justify it, the right hon. Baronet ought himself to introduce a general measure on the subject. If they assented to the second reading of the Bill, they would have given a *quasi* approval to the measure. To a certain degree they would then find their hands tied when they came to discuss the provisions of a general Bill upon what must be admitted to be a difficult subject and one of great interest to the general community. He was therefore disposed to vote against the Motion, because he did not think there was any ground shown in favour of exceptional legislation for Liverpool. The regulation of public-houses was a general principle applicable to the whole country, and he did not see any reason why Liverpool should be legislated for on a principle wholly different from every other part of the kingdom.

THE CHANCELLOR OF THE EXCHEQUER said, his right hon. Friend the Home Secretary no doubt contemplated introducing a Bill to apply to the whole country. At the same time, he contended that the passing of one general measure for the whole kingdom was a very different thing to the consideration of a Bill only applicable to the peculiar circumstances of Liverpool. Now, there were peculiar circumstances in the condition of Liverpool which would make it an exceedingly hard case for the traders of that town if they refused its demand for exceptional legislation. The magistrates of Liverpool had acted generally for some years past on the principle of open or free licences, and it was their practice to give licences, not on the principle which was usually observed by magistrates elsewhere, of according a certain supply of liquor to a certain amount of population, but they acted on the principle of giving licences with great freedom to all applicants who were judged qualified to conduct the business of publicans with respectability. What, then, was the effect of the system adopted by the Liverpool magistrates on the condition of the publicans? On the one hand, they continued under the old burdens in which the trade had been kept. Those who kept the old houses were still obliged to pay the factitious rents and extravagant prices for the goodwill, &c., of the establishments. On the other hand, they did not obtain the advantage accorded by the old system as administered by the magistrates of the country generally. They were, then, exposed to an unlimited amount of competition, but were denied the advantage of the law where it had been altered. Under those circumstances the Committee that sat some years ago on the subject recommended the adoption of a system totally different to that which now prevailed. The recommendations of such Committee were in a great measure embodied in the present Bill. He therefore thought that a fair case had been shown for the second reading.

MR. WALPOLE said, he thought that the arguments of the Chancellor of the Exchequer proved rather too much. They went rather to support the views of his right hon. Friend the Member for Oxfordshire (Mr. Henley) than to afford reasons for proceeding with the present Bill; for if the Committee referred to had recommended alterations in the law as applicable to the entire kingdom, then those alterations should be made co-extensive with the whole population. He owned he felt the gravest objections to private legislation of the kind. In the Manchester education case it was very properly contended that the great principle therein involved ought to be submitted to Parliament in the shape of a Public Bill, and not to be introduced to the House under cover of a Private Bill. The House ultimately confirmed that view. His right hon. Friend had made one very important admission. It seemed now that the Bill was not brought in by the Corporation of Liverpool, but at the recommendation of the publicans of Liverpool. He must say he did not think that an authority on which the House should be asked to adopt exceptional legislation.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 108; Noes 124: Majority 16.

Words *added*.

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

SOUTH EASTERN RAILWAY BILL.

SECOND READING.

Order for Second Reading read.

SIR JAMES DUKE moved that the Bill be now read the second time. The object of the Bill was to shorten the time consumed in the transit between this country and the Continent. He trusted that the House would not, on account of the opposition to the measure, object to the second reading, but would say that the opposition should be heard and determined on by a Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. DODSON said, he rose to move, as an Amendment, that the Bill be read a second time that day six months. In so doing he wished to disclaim being actuated by private interest, or hostility to the promoters, the South Eastern Railway Company. The object of the Bill was to take power to make a branch line about two miles long near Folkstone Harbour, the alleged advantage of which was that it would shorten the distance to London three-quarters of a mile in the whole distance of eighty-three miles. The existing arrangements had been deemed sufficient from the formation of the line up to two years ago, when the Bill passed for the formation of the London, Chatham, and Dover Railway. In 1861 the South Eastern Company brought in a Bill, which was opposed by Sir John Bligh on the ground that the projected branch would pass within 100 yards of his house, and separate the house from the entrance lodge; by General Hankey, because the branch would pass within twelve yards of his house, cut through his kitchen garden and offices, and, in fact, render the house uninhabitable; by the Corporation of Folkestone, and by other parties, on the ground that it would destroy the lower road to Sandgate. Lord Radnor, whose property would be traversed by the proposed branch, was also an opponent of that Bill. The Bill passed the House of Commons; but on being taken to the Lords a Select Committee of their Lordships threw it out, and that without calling on the opponents to open their case. That Bill the company had revived. The Bill before the House was to construct a branch railway between the same points as those of the Bill of 1861; and it was open to the same objections as the former Bill, except in one respect only—namely, that Lord Radnor, formerly an opponent, having made terms with the company, had withdrawn his opposition. There was an important difference in the present circumstances and those of the Bill of 1861—that the opponents of the Bill suggested an alternative line, not of greater length, and with the same advantages as that of the promoters; but that suggestion had been rejected by the promoters on the ground that it would entail a larger expense. The promoters had declared, that if defeated, they would renew their application again and again till they wore out the opposition. He asked the House whether, in the absence of any new advantages, they were prepared to allow the opponents of a Bill to be again put to the trouble and expense they were put to in 1861? If so, it would be establishing the principle that the longest purse would win, the game being "beggar my neighbour," and the better plan would be for the parties, instead of submitting their differences to Committees, to place their purses in the scales, and the owner of the purse which kicked the beam to give in.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

MR. GILPIN contended that the statement of the hon. Member for Sussex ought to induce the House not to refuse to read the Bill a second time, but specially to refer it to investigation before a Committee. Had the hon. Member investigated the alternative line? In all probability he had not. He (Mr. Gilpin) had, and he was therefore in a position to deny that it was equally good with that of the promoters. If the hon. Member argued, that because a Bill which had passed the Commons had been rejected by the Lords, it ought not to be reintroduced into the Commons, he could understand the logic, but he should entirely dissent from the conclusion. In 1861 the Bill passed the Commons, notwithstanding the opposition of Lord Radnor, the largest landowner whose property was affected by the measure; but that opposition was now withdrawn, and to that extent the present circumstances were better than those of 1861.

Mr. MONCKTON MILNES said, that this was one of those cases which the House would be called upon some time or other to meet by general legislation. A strong feeling prevailed not only in the country, but in that House, that these unseemly conflicts between Committees and private parties should be terminated, and that it was unjust to permit wealthy companies to come before Parliament year after year with the view of exhausting the patience and the pockets of private individuals opposed to their schemes.

Mr. NORRIS remarked that the entire merits of the case were sifted with more than ordinary strictness before a Committee in 1861, when the Bill received the sanction of the House, but was afterwards rejected by the Lords. If, then, there was a conflict at all, it was between the Committees of the two Houses.

Mr. MASSEY said, he should be unwilling that any measure which had been deliberately decided upon should be reintroduced when heavy expenses were involved. He must maintain, however, that a Committee of the Commons was quite as competent as a Committee of the Lords to decide upon the merits of the Bill; and as the Commons passed the Bill in 1861 he thought it ought to be again adopted. It was said that landowners were opposed to the Bill. Their case was fully heard by the Commons' Committee in 1861. It was not a case in which a decision had been pronounced by the House on a previous occasion adversely to the promoters; and if the Bill were not now allowed to proceed, the company, and not private landowners, would be the aggrieved parties, because the company were successful in 1861.

Mr. LYGON said, that having been on the Committee in 1861, he could bear witness that the Bill was thoroughly investigated. It had been stated that there was a conflict between the Lords and Commons; and it was therefore right that the House should know that the Committee of the Commons was divided in opinion on the subject. The question seemed to him to be really this, whether a railway with large resources was to come again and again to Parliament and wear out the opposition by the enormous expenses.

Mr. KNATCHBULL-HUGESSEN said, that he had allowed his name to be placed on the back of the Bill, which he would not have done if it had not been a case in which public interests were involved. The largest of the three landowners who opposed in 1861 did not oppose now; indeed, the Bill was not the same as that then before the House; and if the House refused to send it upstairs, the company would be placed in an unfair position.

Colonel KNOX said, that the company had not made any proposition to conciliate their opponents except in one instance. The Bill proposed to go through the grounds and houses of gentlemen both resident and non-resident; and as he did not think twenty minutes could be saved by three quarters of a mile of railway, he hoped the House would take a more generous view than the hon. Member who had just sat down, and reject the Bill.

Sir BROOK BRIDGES said, that he knew the locality, and he did not wish the House to be misled in regard to the importance of the public interests involved. It was allowed by the supporters of the measure that the distance saved would be only three-quarters of a mile; and they also said that it was impossible to save more than a quarter of an hour; but it was rather difficult to conceive how a quarter of an hour could be saved by three-quarters of a mile. With reference to the private interests involved, they had before them the fact that in all important particulars it was precisely the same proposition that had been before the House on previous occasions, and it destroyed the privacy of two residential proprietors merely for a saving of three-quarters of a mile. It was true that at the end of a long period of agitation one of the largest proprietors had agreed with the company, but he was not a residential proprietor; and was it to be in the power of one large landowner, by thus agreeing with a company, to injure smaller proprietors, unless the interests of the public were really involved? If they were involved, the case would come before the House on a very different footing. The opponents of the measure were put in a very unfair and disadvantageous position on the score of expense. They spent £5,000 in proving their case before a perfectly unexceptionable tribunal; the Bill passed the Committee of that House only by the casting vote of one Member; and it was thrown out of the other House. There fore, the preponderance of authority was against it; and the company ought to have adopted the alternative route, at the larger expense, rather than have involved the parties in the expense they had been put to and would be put to in again opposing the measure.

MR. WHALLEY said, that the facts just mentioned exhibited a feature of private legislation which demanded immediate revision, and illustrated the necessity of that railway tribunal the creation of which he advocated a few nights before. He trusted that the Government measure on the subject would include a remedy by which the expenses of proceedings in regard to Private Bills would be reduced so as to give fair play to the opponents of such a Bill as this when contending against a great company.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 111; Noes 122: Majority 11.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

PRIVATE BILL FEES.

RESOLUTION MOVED.

MR. R. HODGSON said, that he rose to move the Resolution of which he had given notice, on the subject of the fees on private Bills. If, however, it were understood that the Bill to be introduced on the Report of the Committee of last Session were to have a retrospective effect, he was ready to withdraw his Motion. That Bill he thought ought to apply to the measures of this Session, because it was a monstrous injustice that the promoters of Bills should be mulcted of the fees they were called upon to pay. He did not believe that the House generally knew the amount of the fees or the principles on which they were charged. The fees against which he proposed to direct his Resolution were those paid on the different stages of a private Bill as it passed through that House. He believed that the ordinary expenses of an unopposed Bill which did not give authority to raise more than £50,000 amounted to £100. On the presentation of the petition for the Bill £5 was paid; on the first reading, £15; on the second reading, £15; on the report of the Committee, £15; and on the third reading £15. If the promoters of a private Bill asked power to raise from £50,000 to £100,000, the fees were trebled, though no more trouble was given in passing the Bill. In some cases, where, for example, the promoters sought to raise £1,000,000, the charges were more than ten times the amount of fees which they would be required to pay if they asked to raise only £10,000. None of the witnesses examined before the Committee of last Session could explain the principle upon which these exorbitant fees were charged. In 1847, when a charge was introduced, the fees were assessed upon an unintelligible system. The only object seemed to be to secure that in some way or other something like the same amount of fees should be raised. On that account, he presumed, the *ad valorem* principle was applied to private Bills. The consequence was that not the same amount of fees, but a much larger amount, had been raised since 1847. In one year the amount raised by fees was £220,000, which not only paid the expenses of the establishment, but gave the Chancellor of the Exchequer £170,000; and the year before, when £76,000 was raised, the Chancellor of Exchequer received £16,000. That was a gross injustice to the promoters of Bills. He did not propose to interfere with the fees paid to solicitors and others under Act of Parliament, or by order of the Speaker. He was not a speculator in railways. He was connected with the management of one simply for the reason that it was connected with the neighbourhood wherein he resided. It was in low circumstances when he joined the direction in the hope of improving it. Since that time, and during the last eight years, the shares stood at 120 per cent higher than they did. He wished to explain to the House that it was not from any trade interest in railways that he acted in this matter, but because from his experience he knew that the cost of Private Bills was a crying evil and an injustice which the House ought to abolish. He would therefore conclude by moving his Resolution.

MR. HADFIELD said, he rose to second the Motion. He could not but condemn the pratice of levying enormous costs upon the promoters of Bills which were for the public benefit. The expense was terrible—it was frightful. In 1854, according to Returns for which he moved, the various railway companies had expended £20,000,000 in promoting Acts of Parliament. So, when a gentleman came to this House for the purpose of protecting his property, he had to pay all the expense he incurred even if he gained his case. He asked that an end might be put to this state of things. There were other things which ought to be inquired into—the mode in which business was done by counsel. It was high time that some system of taxation should be employed in order to put some limit to their fees, which they often took, although engaged in half a dozen Committees sitting at the same time. He trusted the House would adopt the Resolution, not only for its own sake, but as a means of leading to the adoption of a new system.

Motion made, and Question proposed,

"That so much of the Table of Fees charged at the House of Commons (under the Standing Order of the House passed in 1852) as multiplies the Fees Payable on the Petition, First, Second, and Third Readings, and Report of Private Bills, according to the money to be raised or expended under the authority of such Bills, be rescinded—the reduction to take effect in respect of Private Bills introduced in the Present Session."

Mr. MILNER GIBSON said, there could be no doubt that the question of fees paid by the promoters of Private Bills was one well worthy of consideration ; but he very much questioned whether the House would think itself in a condition to bind itself, at that moment, by a positive Resolution to cut down to a certain amount the fees as proposed by the hon. Member. His hon. Friend proposed to cut down the fee fund to the extent probably of one-half. He did not know whether an exact calculation had been made, but he thought he was under the mark when he said that by the remission of fees proposed the fund would be diminished at least a half. It was reasonable, undoubtedly, that persons promoting Private Bills, seeking for something for their own special advantage, and coming to Parliament for privileges, as it were, for themselves, should defray the additional expense incurred by Parliament in meeting their wishes ; but undoubtedly it was unjust to ask them to pay more. But that night he proposed to ask the House of Commons to agree to a Committee to inquire into the subject of private legislation, with a view to the diminution of the expense, and undoubtedly the question of fees must come within the scope of that inquiry. He therefore thought it would be premature at that time to commit themselves by a Resolution of the kind ; and he thought his hon. Friend would act judiciously if he would not press his Motion, but allow the whole subject to be inquired into by the Committee.

Colonel WILSON PATTEN said, that while he concurred in much that had fallen from his hon. Friend in support of his Resolution, he would suggest that his hon. Friend should accede to the proposal to withdraw his Motion. Having taken an active part to get these fees reduced, he well recollected that one recommendation of the Committee of last Session was, that as the fees were higher than needful, they ought to be reduced ; and that Committee also recommended the subject to the attention of a Committee of this House in the next Session of Parliament. As his right hon. Friend had stated that he intended to move for such Committee, it would be premature to pass the Resolution at that moment.

Colonel FRENCH said, he was of opinion that the whole subject of Private Bill legislation demanded the fullest investigation.

Mr. HODGSON said, he would withdraw his Motion on the understanding that the Committee referred to was to be moved for.

Motion, by leave, *withdrawn.*

MARRIAGE OF THE PRINCE OF WALES.

QUESTION.

Mr. Alderman SALOMONS said, he wished to ask the First Lord of the Treasury, If the Government are prepared to bring in a Bill for making commercial engagements falling due on the wedding day of the Prince of Wales payable as is by law provided for Christmas Day, so as to enable Her Majesty's subjects to enjoy the day of that auspicious event as a general holiday ?

Viscount PALMERSTON : I am sorry to inform my hon. Friend that the Government have no intention to bring in a Bill for that purpose. Any unnecessary interference with the arrangements of the commerce of the country is a thing to be avoided. Moreover, there is no precedent for such a measure as suggested.

THE ROYAL NAVY—THE "ROYAL OAK" AND THE "ROYAL SOVEREIGN."

QUESTION.

Mr. LAIRD said, he rose to ask the Secretary to the Admiralty, The date when the iron-cased ship *Royal Oak* is expected to be ready for sea ; and whether, in order to test the sea-going capabilities of a wood-built vessel cased with heavy armour plates, it is the intention of the Admiralty to commission her for service as soon as she is ready; and also, the date when the *Royal Sovereign* was ordered to be cut down and altered into a cupola ship, and probable time of completion for trial; also, what armament it is proposed she is to carry?

LORD CLARENCE PAGET said, the *Royal Oak* was expected to be out of the hands of the dockyard authorities on the 19th of March, and she would be commissioned immediately for service. The *Royal Sovereign* was ordered to be cut down on the 3rd of April, 1862, but her armament had not yet been decided upon; neither could he state exactly when she would be ready. He trusted, however, that she would be completed by the end of the year.

RAILWAY PROXIES.

QUESTION.

MR. DARBY GRIFFITH said, he wished to ask the Chancellor of the Exchequer, Whether it is not the case that proxy papers for voting in public companies require a sixpenny stamp; whether he is aware that any committee of shareholders seeking a reform in the company are placed at a great disadvantage in comparison with the Directors, in having to pay for large numbers of proxy stamps, while the Directors can charge that expense to the Company; and, considering that the exercise of a franchise is in question, whether the principle of a penny stamp, as now applied to cheques and other instruments, may not be a sufficient amount of taxation to impose upon proxy papers?

THE CHANCELLOR OF THE EXCHEQUER said, no representations had been made to him as to the inconvenience experienced by the shareholders of railway or other companies in consequence of proxy papers requiring a sixpenny stamp. If inconvenience arose from the practice of the Directors charging the expense of these proxies to the funds of the Company, the proper course to pursue was for the shareholders to prevent them so charging the expense, or by establishing for themselves the right of having proxies without limit at the general expense. He had no information which led him to believe there was any case for a change in the law with respect to the duty on proxies. A short time ago they were liable to the same duty as a power of attorney—namely, 30*s.*; then the duty was reduced to 2*s.* 6*d.*, and finally to 6*d.*; and it was the opinion of those well informed on the subject that that was a low charge considering the nature of the functions, and that nothing was to be gained by an alteration.

SALE OF BEER BILL.

QUESTION.

MR. P. W. MARTIN said, he wished to inquire of the hon. Member for Bradford, Whether it was his intention to re-introduce the Sale of Beer Bill during the present Session?

MR. W. E. FORSTER said, that after the declaration of the Home Secretary of his intention to bring in a Bill dealing with the general question of licences, he did not propose to re-introduce his Sale of Beer Bill of last Session until he had seen the right hon. Gentleman's measure.

UNITED STATES—BLOCKADE OF CHARLESTON.—QUESTION.

MR. BENTINCK said, he rose to ask the First Lord of the Treasury, Whether the Government are in possession of any official information on the subject of the reported defeat by the Confederates of the blockading squadron at the mouth of the Charleston river; and, if so, whether that information is of a character to raise the question of the legality of the future blockade of that port?

VISCOUNT PALMERSTON: Her Majesty's Government have no information with regard to that transaction, other than that which has been conveyed by the telegrams which have been received, and are known to everybody. Those telegrams simply state that the blockade was raised on the morning of one day and re-imposed on the succeeding day. [An hon. MEMBER: On the same day.] The same information states the raising of the blockade and its renewal. With regard to the application of the general law of nations to a transaction of that kind I shall abstain from giving any opinion, because the application of that law depends so much upon the circumstances of the case, that till that which has really happened is well known, it would be improper for Her Majesty's Government to commit themselves to any binding opinion as to the effect which those transactions may have.

METROPOLITAN BUILDINGS—FINSBURY CIRCUS.—QUESTION.

Captain JERVIS said, he wished to ask the right hon. Gentleman the First Commissioner of Works, Whether he has received a deputation of the inhabitants of Finsbury Circus to solicit his support against the proposed extension of the Great Eastern Railway; if so, whether he has promised that support; and, in such a case, if he will state what supervision his Department possesses over projects of a similar nature within the metropolis?

Mr. COWPER said, that a number of gentlemen who were in the habit of walking in Finsbury Circus, and who attached great importance to the preservation of the semi-rural character of that place, had done him the honour to call upon him, with the wish to enlist his sympathies with regard to the grievance which they anticipated was coming upon them. They stated that the Great Eastern Railway Company contemplated placing a station in the centre of Finsbury Circus, which had hitherto been a very quiet spot in the centre of the City of London. They added that it was almost the only place where persons who were obliged to reside in the City could live away from the noise and bustle. He gave them his sympathy, though that was not worth much; it was more, however, than it appeared the hon. and gallant Gentleman himself would be disposed to extend to them. Persons who came forward to represent that the public interests would be injuriously affected by railway enterprise were placed in a critical position by the practice of the House. Before a Private Bill Committee persons whose pecuniary interests were involved, who promoted or opposed a particular scheme, or were willing to spend money in defending particular rights, might all be represented. But those complaining on the part of the public had no means of making their voice heard in a committee-room. The matter was assuming a very grave character just then, when no less than twenty-one Bills affecting the metropolis were before the House. There seemed to be no reason why the railway should take Finsbury Circus, except that they would have to pay less for land there than for other land covered with houses. But if it were once laid down as a principle that railway companies were at liberty to turn open spaces into railway premises, Trafalgar Square, St. James's, and all the other public sites would be seized for those purposes. He was unable to point out to the deputation any way in which the interests of the public could be brought before the Committee; but he hoped that hon. Gentlemen who might hereafter be appointed to serve on that Committee would not consider themselves shut out from remembering what was for the public interests and the public convenience, although in strictness these might not be before them. He also suggested to the deputation that they ought to forward a petition to the House, setting forth their grievances, which would probably be referred to the Committee before which the Bill might be brought.

Captain JERVIS:—The right hon. Gentleman has not answered the last branch of the question, with regard to the supervision exercised by his Department.

Mr. COWPER:—I am unable to tell the hon. and gallant Member anything more than he knows himself. I am not aware of any powers which he is not aware of.

DANISH PAPERS.—QUESTION.

Mr. SEYMOUR FITZGERALD said, he wished to ask the Under Secretary for Foreign Affairs, Why the Danish papers presented to the House on Friday last have not been delivered to hon. Members?

Mr. LAYARD said, he was not able to answer the question, but he would make inquiry. The papers were printed, and so far as he was aware they had been sent from the Foreign Office.

THE IONIAN ISLANDS.

QUESTION.

Mr. ROEBUCK said, he wished to renew a Question he had put to the noble Lord at the head of the Government the other evening, which the noble Lord said he was not able to answer off-hand—a remarkable answer for him. Presuming that inquiry had since been made, he wished to know, Why it was that any despatches which might have been received from foreign Governments respecting the affairs of Greece had not been laid with the other papers on the table of the House?

Viscount PALMERSTON:—I think the Question put by my hon. and learned Friend, as I recollect it, was whether any despatch had been received from the Austrian Government on the subject of the cession of the Ionian Islands.

Mr. ROEBUCK:—That was part of the Question.

Viscount PALMERSTON:—No such despatch has been received; and no despatch has been received on that subject from any other Government.

PRINCE OF WALES—MESSAGE FROM HER MAJESTY.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

VICTORIA R.

Her Majesty relies on the liberality and affection of Her faithful Commons, and on the cordial interest which they have manifested in the happy event of the approaching Marriage of the Prince of Wales to the Princess Alexandra of Denmark, that they will be ready to concur in such provision as they may judge necessary to enable Her Majesty to settle an Establishment for the Prince and Princess suited to their rank and dignity. *V. R.*

Viscount PALMERSTON: Sir, the House have already been informed by the Speech from the Throne of the intended marriage of the Prince of Wales, and in their Address have expressed the sentiments which they entertain on that subject. All, therefore, that it becomes my duty to do on the present occasion is to ask the House to agree to an Address in answer to the Message which you, Sir, have just read, assuring Her Majesty that this House will at the earliest possible time take that Message into consideration, with a view of making such provision for his Royal Highness the Prince of Wales and the Princess of Wales as may be suitable to their high rank and station. I am quite sure that the House will feel pleasure in adopting that course, and I therefore give notice that on Thursday, the earliest order day, it will be my duty to propose a Resolution on that subject. The House will, of course, understand that in agreeing to the Address which I am about to propose there is no pledge implied or expressed as to any particular arrangement. It would be unfitting for me now to go into those details which I shall have occasion to explain to the House on Thursday night. I shall therefore content myself with inviting the House to do that which has been always usual on similar occasions—namely, to agree to an Address to the following effect:—

> "That an humble Address be presented to Her Majesty, to return to Her Majesty the Thanks of this House for Her most gracious Message, and to assure Her Majesty that this House will immediately proceed to the consideration thereof, in such a manner as shall demonstrate their zeal, duty, and affectionate attachment to Her Majesty, and a due regard to the rank and dignity of the Royal family."

Mr. DISRAELI: Sir, I am sure the House will agree to this Address with unanimity not only of the voice but of the heart. I am persuaded the House of Commons will seize every occasion of testifying its affectionate loyalty to the Sovereign under whose reign not only has the greatness of the Empire been sustained, but the happiness of the people has been increased. Nor can we ever forget, Sir, that from one, and that the most august, home in this country during the long period of a quarter of a century—a period commensurate with the reign itself—an undeviating influence has been exercised which has refined the taste and elevated the sentiments of the whole community. The country takes a deep interest in the happiness and in the order of the household of the Prince of Wales, and I am sure, Sir, the House will support every reasonable proposition brought forward by Her Majesty's Ministers, the object of which is to realize those results.

Sir HENRY WILLOUGHBY: I quite concur in the Address, but I wish to know whether it is the intention of the Government to place on the table of the House any authentic account of the revenues of the Duchy of Cornwall? I am not aware that there is any Return which shows the amount of income for the past year and the accumulations during the minority of his Royal Highness. I think that such a document is necessary, and I ask for it now in order that the House may have the opportunity of considering it before entering upon this discussion.

Mr. W. WILLIAMS: I think that before any Vote is come to on this subject we ought to have a full account of the revenues of the Duchy of Cornwall, and also a statement of the accumulations during the minority of the Prince of Wales.

The CHANCELLOR of the EXCHEQUER: The statement of the revenues of the Duchy of Cornwall will be laid on the table of the House this evening.

Mr. W. WILLIAMS: Will it show the accumulations during the Prince's minority?

The CHANCELLOR of the EXCHEQUER: The statement is made in the form required by the Act of Parliament. [Several hon. Members: The accumulations?] The report from the Council of the Duchy would contain whatever further information was needed.

Resolved, Nemine Contradicente,

That an humble Address be presented to Her Majesty, to return to Her Majesty the Thanks of this House for Her most gracious Message, and to assure Her Majesty that this House will immediately proceed to the consideration thereof, in such a manner as shall demonstrate their zeal, duty, and affectionate attachment to Her Majesty, and a due regard to the rank and dignity of the Royal Family.

Committee thereupon on *Thursday.*

ADJOURNMENT OF THE HOUSE.

Motion, That the House at rising do adjourn till To-morrow, at Two of the clock.

COMMERCIAL TREATY WITH ITALY.

Mr. SEYMOUR FITZGERALD said, he rose to call the attention of the House to the question of some late commercial treaties, and especially to the commercial treaty pending between this country and the Kingdom of Italy. He was aware that the opportunity which he had taken of bringing forward the subject of which he had given notice was somewhat unusual, but his sense of the importance and urgency of the question, induced him to avail himself of that method. He was afraid that the terms of his notice might disappoint, in some measure, those who thought he was about to address himself to a much larger question than that which he wished to bring under the attention of the House. But he had no desire to enter into the general question of the late commercial treaties. He had not the slightest intention to refer to the operation of the late French Treaty. On that matter he thought there were Members of the House who had something to unlearn; but he sincerely trusted that in the result the anticipations of the Government with respect to that treaty would be realized. The question he desired to raise was, however, one of importance. No one could deny the important part which commercial treaties had taken in the last few years, nor the great attention they had attracted from all concerned with our trade and manufactures. And, he would add, no body of men had shown themselves more sensible to the value of such treaties than Her Majesty's Government. At the time a commercial treaty was being negotiated between France and the Zollverein, Her Majesty's Government were most anxious to conclude a similar treaty. The treaty between France and the Zollverein, however, was broken off in consequence of opposition on the part of some of the minor German States, and thereupon Her Majesty's Government took no further steps in negotiating the treaty which they were before so anxious to conclude. Last year they entered into a commercial treaty with Belgium, and the tariff had since been more favourable to English interests. The noble Lord at the head of the Government had himself, during the recess, expressed at Southampton his conviction of the importance of negotiating a treaty of commerce between this country and Austria; and if he (Mr. Seymour Fitzgerald) was not mistaken, the noble Earl the Minister for Foreign Affairs, when in that House, had expressed a hope that from circumstances then occurring between this country and Spain considerable alterations might be made in the Spanish tariff in a sense favourable to British commerce and manufactures. There was, then, no question which more certainly occupied the attention of commercial men or attracted the anxiety of those concerned in the manufactures of the country than that of the conclusion of well-considered commercial treaties with other countries of Europe. But exactly in proportion as these commercial treaties were important and the desire existed for their extension, exactly in that proportion it became important to consider the principle on which Her Majesty's Government had acted in concluding these treaties. Her Majesty's Government had, in his opinion, proceeded upon a principle radically wrong; for their principle was to allow the French Government to take the initiative; and if they succeeded, then Her Majesty's Government bestirred themselves, but thought themselves very fortunate if they secured for the British merchant and manufacturer the same tariff which had been just established by France. Any principle more unfortunate could hardly be adopted, because it was clear that the tariff which might be highly advantageous to the French merchant and manufacturer might be quite unsuitable to the circumstances of this country. For instance, France might say that she did not care what duty was levied upon half-manufactured products, provided a light duty was imposed upon her wines and silks; but, on the other hand, it would make a great difference to us whether our half-manufactured goods were heavily taxed or not, even though the foreign Government were willing to admit duty-free British wines and British silks. The matter had been illustrated in the case of the Belgian treaty. The tariff in that treaty was fixed between the French and the Belgian Governments. It had been found by the manufacturers of this country not only to be disadvantageous to them, but, if he was not mistaken, the adoption of this treaty, instead of placing the British merchant and manufacturer in a more favourable position than before, actually made it worse, inasmuch as increased duties were now charged upon some of their productions. The first complaint he had, then, to make was that Her Majesty's Government had not been sufficiently active in taking the initiative in the negotiation of these commercial treaties with foreign Powers. At the present moment the French Government were doing all they could to negotiate a commercial treaty with Austria. Austria was most anxious to reform her tariff, and nothing could be easier than for Her Majesty's Government to form a treaty with that Power to the great advantage of our manufacturers. The initiative, however, was left with France. A more forcible instance of the imperfect manner in which the Foreign Department performed its duties in this respect could not be adduced than what was passing at that time, when a treaty was pending between this country and Italy. In the course of the last year Signor Marliani, a distinguished member of the Italian Government, and Minister of Commerce, came over here with the intention of negotiating a commercial treaty between Italy and this country, and although he was here for a considerable length of time, it did not appear to have struck the Foreign Office as of the least importance to put the Italian Minister of Commerce into communication with the Board of Trade. The result, he had heard, was that the gentleman returned home without having had any communication with his right hon. Friend opposite (Mr. Milner Gibson). Such was the information he had received. But some time afterwards the Foreign Office put itself into communication with the Board of Trade upon the subject, and the Board of Trade sent to the various chambers of commerce throughout the country, stating that a treaty with Italy was pending, and requesting information as to the various productions of the districts to which they belonged, and as to the principles upon which they might think it advisable that the tariff to be adopted should be framed. The result was, a vast amount of information was obtained, and the greatest pains were taken to furnish the Board of Trade with all the necessary details. He was bound to say that the Board of Trade availed themselves of the information, and the chambers of commerce were soon after apprised that the details which they had furnished had been so far considered that the tariff to be appended to the treaty had been draughted. That draught was submitted to the noble Lord at the head of the Foreign Office, and in consequence of the exertions of the President of the Board of Trade a perfect commercial treaty with Italy became the subject of consideration. So the matter stood for some time; but at length certain chambers of commerce heard that a commercial treaty with the Kingdom of Italy was on the point of being signed, that it was in no respect founded upon the information which had been obtained by the Board of Trade, and that the treaty, which, however, was not signed, contained a tariff identical with that which had been adopted in the treaty between France and Italy. That circumstance, as might easily be conceived, created great astonishment and regret among those who had an interest in the question and had been consulted, and the consequence was that many of them had thought it their duty to make representations upon the subject to the President of the Board of Trade. This question also was asked, "If we are to have the French tariff, pray inform us what that tariff is." Let the House understand whether or not Her Majesty's Government had finally assented to a treaty embodying the French treaty, the tariff of which they had never seen, and of the provisions of which they were ignorant, having only reason to believe that they were similar to those adopted in the Franco-Belgian treaty. This appeared an exemplification of the objection which he took in the first instance to the course followed by the

Government—namely, that of allowing the French Government to precede them, and afterwards being content to take the various stipulations of the French treaty, and make them applicable, as far as they could, to England. He knew he should be met with the answer that the reason that was done was because England was not in a position to offer any concessions to other Powers, as she had already given up everything; but it appeared to him that that answer came with a bad grace from those who had given up everything; and, moreover, he did not think it a well-founded answer. They were told that the moral influence of this country swayed the councils of Europe; but if that moral influence were of such great weight in political matters, he was sure, if those who represented the British Government were in their communications with foreign Powers to cultivate the most friendly relations, and were not to write in epigrammatic style, conveying great offence, though the words used might of themselves seem innocent enough, and if they were to prove themselves earnest and eager for the promotion of close commercial intercourse with all foreign nations—he was sure, he repeated, that the moral influence which was of such advantage in political matters would in commercial matters also secure great advantages to the manufacturing and trading classes of this country. He believed that there was no more important function which the Ambassadors of this country or the diplomatic service generally could perform than by making use of the great ability which had always distinguished that service in negotiating commercial treaties; and it would be of far more importance to the country that they should devote themselves to that object rather than to writing such despatches as he had glanced at, so irritating to official persons abroad, and so disappointing to those who read them at home. In confirmation of these observations he would refer to two most important countries with which it was their interest to maintain the most friendly relations. Russia, for example. Why, it was only within the last few weeks the British public were made aware of a correspondence which had taken place between the head of the Foreign Office and one of the chief ministers of Russia, and of the despatches of the noble Earl—despatches conveying, under cover of the most insinuating language, the most insulting and pointed sarcasms against the policy adopted by Russia. Take again their position in regard to Brazil. They might have effected arrangements by which an extensive and advantageous commerce could be carried on with Brazil. How had the Government acted lately in regard to that power? If it were considered important at that moment to effect a treaty with that country, how could they have the face to make the application, or in what way would their overtures be met? He put those questions before the Government because he was confident that the people were alive to the importance of commercial treaties, and would never be content to follow subserviently the footsteps of France in regard to commercial policy. Whilst respecting the rights of France and of all other Powers, towards whom they wished to preserve a friendly spirit, they expected the Government to maintain a bold and an independent policy—to uphold their own tariff while seeking to extend the policy involved as widely as possible. He believed that if that line of conduct were pursued, then the present Government, or any future Government, in obtaining commercial treaties, would confer lasting and enormous benefits on this country.

MR. W. E. FORSTER said, the subject brought forward by the hon. Gentleman was one of great importance and interest to the manufacturing classes of this country; and he was sure he was expressing the feelings of the community which he represented when he thanked the hon. Gentleman for the sentiments to which he had given utterance, especially in connection with the treaty said to be pending between Italy and this country. It was utterly impossible for people interested in manufactures to know their exact position at the present moment in reference to that matter. The statement made by the hon. Gentleman was substantially correct, and the House would not be surprised at the ignorance to which he had referred when he mentioned to them a few facts. In the early part of last year the different chambers of commerce in the north of England and the midland counties, warned by experience of the difficulty of obtaining a treaty of Belgium, waited upon the authorities of the Foreign Office and stated their wish that an intercourse should be kept up between the Government offices and the chambers of commerce in order the better to serve the interests of England in the framing of treaties. Well, the deputations were received in the most frank and agreeable manner by the Foreign Office. They were delighted to find that negotiations were then going on for a treaty with Italy. A circular announcing that fact was issued by the Government authorities last February. The Bradford Chamber of Commerce, among others, replied to that circular, commenting upon that treaty, and showed how it could be improved. A copy of that reply was sent to the Foreign Office and to the Board of Trade; but for a considerable period subsequently they heard not one syllable on the subject of the projected treaty with Italy. Having heard that Signor Marliani had been sent from Turin to England for the purpose of getting as well as giving information as to how the trade between the two countries could be increased, he (Mr. Forster) went to the Foreign Office with the view of putting him into communication with the gentlemen representing the commercial interests of the north of England. By the Foreign Office, however, he was referred to the Board of Trade; and when he went to the Board of Trade, he was referred back to the Foreign Office. He did not know if Signor Marliani was treated in the same way; but if he was, he could say with confidence that the Italian minister must have left this country just as ignorant as he was when he entered into it, as far as the information he had sought for was concerned. Believing, from the long silence maintained by the Government Departments on the subject of this treaty, that the negotiations had fallen to the ground, it was not surprising his constituents were thunderstruck with the information conveyed to them by the newspapers that a commercial treaty with Italy was now on the point of being signed, and they concluded that one of two things must have happened—either that the Government during the present or the last year had been conducting their negotiations with Italy without obtaining information from those most able to give it, or that they had thought it enough simply to get for this country the treaty which France had obtained for herself. That, however, would not be enough. True, the Italian Government would not be dealing fairly towards us if it put France in a better position than England; and, on the other hand, we could scarcely expect to obtain advantages which had been denied to France. But it was quite possible that a treaty framed by French Ministers would not serve English interests, and that the concessions which suited France might not be of much value to England. He hoped, therefore, to learn from his hon. Friend that Her Majesty's Government had not been remiss in this respect, and that our negotiations had been keeping pace with those conducted by our ally. Before sitting down he felt bound to say that the commercial interests of this country were injured by the want of proper arrangements between the Foreign Office and the Board of Trade. The theory, he understood, was that when the Foreign Office required commercial information, it was to apply to the Board of Trade; but then the former might be so ignorant as not to know when it ought to ask for information. There was a popular notion on the Continent that the end and aim of British policy was to promote trade; but, in reality, that was one of those things which they managed better in France. There the Foreign Office contained a department of trade, and the Ministry of Commerce had a department for foreign affairs. In our own case some arrangement should be made by which the information collected by the Board of Trade in regard to our commercial relations with other nations should be systematically submitted to the Foreign Office. As far as his hon. Friend the Under Secretary was personally concerned, he had done all in his power to meet the wishes of the manufacturers; but unfortunately free trade was not one of the traditions of the Foreign Office. The French treaty did not originate there, and the Department did not seem to be aware of the effect which it was producing on the Continent. Some of the people in this country were presumptuous enough to think that the experience of the noble Earl at the head of the Foreign Office, although it was advantageous in many other respects, was disadvantageous on this subject. That experience was gained when the idea of free trade had not taken possession of this country, and when the notion that free trade principles would in time regulate the commercial dealings between this country and Continental States was regarded as a utopian dream. The noble Lord the Foreign Secretary might rest assured that by upholding the principles of commercial freedom he was furthering the cause of political freedom more effectually than by offering to other Powers gratuitous advice, on matter how appropriate or vigorously expressed. The noble Lord at the head of the Government also ought to be aware that it did not become him, as the protector of British interests, to hand over to France the direction of that free-trade movement which was originated by England, or to follow with faltering footsteps the movements of France or of any foreign Government whatever.

MR. LAYARD said, he was rather surprised to hear the complaints which had fallen from the hon. Gentleman opposite, but he was disposed to consider the course taken by the hon. Gentleman as being due to his being so recent a convert to the cause of free trade, and, like all new converts, to his exhibiting greater zeal than discretion. He believed he should be able to remove the grounds of the hon. Gentleman's objections. But first he wished to correct an error into which the hon. Member for Bradford (Mr. W. E. Forster) had fallen in asserting that the Foreign Office had nothing to do with the French treaty. The Foreign Office took up the matter warmly, doing all that depended upon it to promote the conclusion of the treaty, and the hon. Member for Rochdale (Mr. Cobden) had himself acknowledged the hearty and valuable cooperation he received from Earl Cowley, who was joined with him in the negotiations on the subject. When the hon. Member for Rochdale was sent to Paris on that mission, he naturally asked the British Government before going what he was authorized to offer the French Government. If he had gone to Paris with his hands empty, it was not probable that he would have succeeded in obtaining the concessions which the French Government ultimately made to us. Fortunately, however, the hon. Gentleman had much to offer. There were heavy duties on wine and other articles of French produce and on articles of luxury, and even to a certain extent of necessity. In consideration of a reduction in those duties the French Government consented to the various changes in their tariff which had proved very beneficial not only to this country but to France herself. It was necessary to bear in mind that in our domestic legislation we differed from France. We at once gave the whole world the benefit of the concessions which had been made to our ally. France, on the other hand, withheld from others the privileges she had conceded to us, and thus retained in her hands the means of bargaining with other Powers for mutual commercial concessions. When one nation sought any concession from another nation, there were various grounds on which the request might be based. An appeal might be made to the generosity of the other Power, but it was doubtful whether that would have much effect, as Governments are influenced by motives of interest rather than generosity; or an appeal might be made to a treaty which gave the applicant the privileges of the most favoured nation; or, as a friendly State, claims might be put forward to privileges which had been granted to another State. If we had only the latter ground to rely upon, it was above all things desirable, that as we had no concessions to offer in return for the advantages sought, some other Power, which possessed the means of bargaining, should commence the negotiations. That was the reason why France had been allowed to precede us in the instance of the Italian and other treaties. Every concession which was made to her gave us a certain right to claim the same from Powers with which we were in friendly relations. On the other hand, other Governments naturally replied, when we asked them to change their tariff, "If we concede this reduction to you for no equivalent, we shall be expected to treat France and other nations in the same way, and be unable to obtain concessions in return. Although you may have nothing to give us in exchange, France has." If we had taken the initiative, the Italian Government would very naturally have said, "You have nothing to give us in exchange for what we give you; and if we freely concede your demands, we shall be placed in a bad position in making terms with France, with whom we are on the most friendly terms." So far from Her Majesty's Government not having endeavoured to make treaties of commerce with other nations, the fact was that there was scarcely a Power in Europe with whom negotiations had not been opened during the last year or two. Treaties had been concluded with Turkey and Belgium. The treaty with the former was a very important one. The Turkish Government, always adopting a very liberal policy in its commercial relations with other nations, has reduced its export duties to the very lowest scale, and has placed the import duties on a much more favourable footing than they had ever been before. The remarks he had just made applied with peculiar force to the case of the Belgian Treaty. The Belgian Government were asked to make a treaty of commerce with us, as they had done with France, and it was pointed out to them that it would be an unfriendly act, having entered into a treaty with France, to refuse to negotiate one with England. They replied by asking what we could give to them in return, and they suggested that if they gave to us what they had given to France, we should consent to capitalize the Scheldt dues. Now, the capitalization of the Scheldt dues had nothing whatever to do with a treaty of commerce, and our Government at once refused to admit the principle of purchasing a treaty. Again and again we insisted upon the unfriendliness of refusing to us what had been given to France. Eventually that argument, and none other, prevailed, and in the end the Belgian Government made a treaty of commerce with us, abandoning their demand for the capitalization of the Scheldt dues, which formed the subject of a separate negotiation. The hon. Member for Horsham (Mr. Seymour Fitzgerald) had been entirely misinformed with respect to the Italian Treaty. Last year the French Government, desiring to place their commercial relations with Italy upon a better footing, proposed a treaty of commerce with that country. The British and Italian Governments were equally desirous that a treaty should be negotiated between Italy and this country. The Italian Government accordingly sent an agent to England, Signor Marliani, who, though a distinguished Senator, was not a member of the Government, to negotiate such a treaty. It was not true, as had been stated, that Signor Marliani had no communication with the Board of Trade or the Foreign Office. On the contrary, he had interviews with his right hon. Friend the President of the Board of Trade, while he (Mr. Layard) introduced him to some of our leading commercial men, and furnished him with all the information he required. What, however, was his invariable language when he was requested to discuss the terms of the treaty? He always said that he could not negotiate a treaty with England until he knew what had been done in Paris, because, he argued, if Italy gave us concessions for which we could give her nothing in return, France, as a friendly Power, would insist upon the same advantages without Italy obtaining the equivalent which she was then trying to procure from the French Government. The negotiations in Paris were not brought to a conclusion last year; and when the recent Ministerial crisis took place in Turin, Signor Marliani was recalled to Italy. The hon. Member for Bradford had stated that the Government had appealed to the chambers of commerce, but had not acted upon their reports or advice. That was true; and the chambers gave them valuable information; but then that information was of no avail under the circumstances, because the Government could do nothing with it till the completion of the treaty between Italy and France, which had just taken place. His hon. Friend opposite expressed surprise at the Government not being yet in possession of the Franco-Italian treaty and tariff; but the treaty had not yet been ratified, and until its ratification it could not be published. His hon. Friend the Member for Bradford might depend on this—that before any treaty should be made with the Italian Government the tariff would be referred to the various chambers of commerce throughout the country, and that the Government would be well pleased to receive reports from them on the subject. While on the subject of Italy, he could assure the House that the Government were fully alive to the great importance of increasing our trade with Italy. Italian trade was growing every day, promoted by liberty and unity, and encouraged by the spirit of enterprise which had recently sprung up in Italy—a proof of which he had just presented to the House in the shape of a report from our Consul General of Naples. During the recess the hon. and learned Member for the King's County (Mr. Hennessy) made, through the newspapers, certain assertions relative to Neapolitan trade which filled him with amazement, and induced the Foreign Office to write to the Consul General at Naples for an explanation. The explanation thus obtained was so important, and so completely refuted the statements of the hon. and learned Member, that he hoped the House would permit him to give a few facts from it. The number of British steamers to Naples had increased between 1859, the last year of the Bourbons, and the end of 1862, from 66 to 119; and the tonnage from 41,675 to 95,292. In regard to sailing vessels, the increase in the same period was from 23,905 tons to 39,678, so that there had been a total increase in tonnage from 65,580 in 1859—the last year of the Bourbons—to 134,970 in 1862. These were authentic documents. [Mr. HENNESSY: Up to what time?] Up to the end of last year. In foreign vessels there was the same enormous increase. The steamers at Naples, from 1859 to 1862, had increased in number from 656 to 1,303, and in tonnage from 192,378 to 442,832. At Gallipoli—the next port in importance to that of Naples—there was an increase during the same period in British ships from 43 to 84, and from 235 to 324 in the ships of other nations, and the increase was equally observable in the estimated value of the cargoes shipped from Gallipoli, the total amount in 1859 being £272,591, and in 1862 £762,432. The number of ships at that port belonging to Great Britain in 1859 represented 4,373 tons, and in 1862 10,504 tons; the estimated value being in 1859 £192,184, and in 1862 £441,472. The increase of the actual trade from Naples during the same period was from £476,821 to £850,708. With regard to Tuscany, the returns of the Board of Trade showed an equally satisfactory result. The trade from Tuscany to Great Britain had increased during the same period from £807,000 to £1,062,081; the colonial trade from £903,061 in 1859 to £1,265,000 in 1862. These figures would, he thought, be regarded as a most complete answer to the assertions of the hon. and learned Member for the King's County (Mr. Hennessy) as to the falling-off in the trade of Italy since the union. But, to return to the subject of our negotiations with foreign countries with respect to commercial treaties, the House was aware that last year the French Government were negotiating a treaty with Prussia and the Zollverein. As soon as that fact became known, the British Government applied to Prussia and the Zollverein to make with them a similar treaty of commerce. The reply, as might have been expected, was precisely the same we had received from Belgium—that negotiations could not be entered into with us until those in progress with France were concluded. "France," it was said in effect, "can give us an equivalent. You can give us none. When we have ascertained what France will give us, we shall be ready to give to you, as a friendly nation, what we have given to France." Our Government told them that though their tariff might be acceptable to France, it might not be so to us. It had been said that a reference should have been made to the Board of Trade. What our Government really did was this—they accepted the offer of Prussia on the part of the Zollverein to make with us a treaty as favourable as that made with France; but they said that the question was a question of tariff, and that the question of tariff should be discussed before the treaty was negotiated. Prussia consented, and our Government sent to Berlin Mr. Mallett, who had accompanied the hon. Member for Rochdale (Mr. Cobden) to Paris, a most distinguished officer of the Board of Trade, to communicate with the Prussian Government as to the modifications of the French tariff which England would require. Unfortunately, for various reasons, political and others, up to that moment the treaty between the Zollverein and France had not been concluded. The Prussian Government had consented to the treaty, but four of the Southern States of the Zollverein, for political reasons, had refused to do so. Unanimity in the Zollverein was required to enable them to negotiate a treaty, and until that unanimity had been secured, and the treaty with France had been ratified, Prussia could not negotiate with this country. The Zollverein would cease in 1866, and it would then be seen whether it would be renewed on its former basis. That was a matter on which he (Mr. Layard) could not venture to offer an opinion. As regards Austria, it was quite true that at the beginning of last year we heard that the Austrian Government were disposed to make liberal commercial concessions to this country; and we at once proposed a basis. But we were told, however well-disposed the Ministers of the Emperor of Austria were to a liberal commercial policy with this country, it was impossible for the present to negotiate a treaty. There were political as well as social difficulties in the way; the Zollverein, in which she wished to enter, might be broken up, and until this question was settled she could conclude no treaty with us. It was from no want of zeal or willingness on the part of the British Government that no treaty of commerce with Austria had been concluded. It had been asked why had not England insisted on the privileges of what was called the "Intermediate Treaty" being given to England. Now, what was the nature of that Intermediate Treaty? By special arrangement between Austria and the Zollverein States goods which crossed the conterminous frontier of Austria and the Zollverein were subject to a different tariff to those which were imported into Austria or the Zollverein by any other route. Supposing, for instance, Prussia sent goods into Austria across the frontier line which divides Austria from Bavaria, she paid one tariff; but if she sent them round by Gibraltar to Trieste, she paid another and a much higher tariff. That, however, was the result of mutual arrangement founded upon political and other motives, and there was no chance of any other Power obtaining the same privileges. The principles of free trade had not penetrated sufficiently into Europe to produce such a result. It was to be hoped that the time would come when States would recognise the advantage of doing away with such differential tariffs. Then as to Denmark, the British Government had every reason to believe that there was a party in Denmark, political as well as commercial, disposed to enter into a liberal treaty of commerce with this country. The Government lost no time in proposing to the Danish Government to enter into such treaty. But what was the first question with which they were greeted? "What can you give us in return?" The reply of the English Government was that Danish manufactures were admitted into England without duty, and her ships treated as our own ships. So nothing was done. But suppose the Danish Government were to enter into a negotiation with another Power on a liberal basis, we should have a right to come forward and say, "You have treated that Government in a liberal spirit, and we, as a friendly Power, have a right to ask for the same treatment." That argument, no doubt, would have its due weight. The same thing occurred with regard to Spain and Portugal. What they wished for from us was a reduction of the duty on thin wines, and that they had obtained without a treaty of commerce with us—the French treaty gave them that. When the British Government offered them a treaty of commerce, the reply was, as in other cases, "What are you going to give us in return?" At the present moment it was hopeless to expect from either Spain or Portugal any treaty of commerce on a liberal basis. His hon. Friend the Member for Bradford had made some remarks with regard to the advantage which would be derived from a more immediate connection between the Foreign Office and the Board of Trade, and suggested that a commercial department should be instituted at the Foreign Office, and that it should be placed in direct communication with the Board of Trade. His hon. Friend, he was sure, would say this, that the Foreign Office, whilst he (Mr. Layard) had been in it, had ever afforded him all the information in commercial matters that he could reasonably have expected from it. The proposition of a special department of trade at the Foreign Office had been fully considered by him, and he had arrived at the conclusion that the adoption of that plan would not work well, and would besides interfere to some extent with the proper functions of the Board of Trade, and a double set of officers would have to be employed, and an additional expense would be cast upon the country.

Mr. W. E. FORSTER: What I suggested was, that the officers at the Foreign Office should be placed in direct and constant communication with the Board of Trade.

Mr. LAYARD said, the Foreign Office was in constant communication with the Board of Trade, and acted on the opinion of the Board of Trade on commercial matters, just as the Home Office was referred to in matters coming within its immediate cognizance. He believed he had said enough to show that the complaints of the hon. Member opposite were not well founded, and he could assure the hon. Gentleman that the Government were anxious, and had been anxious, to do all in their power to enter into commercial treaties with other Powers upon a liberal footing, and he thought the last charge that could be brought against the Government was that they were not fully alive to the great importance to this country of its vast commercial interests.

Mr. NEWDEGATE said, that some time ago he had ventured to make some remarks in that House which he thought he might with propriety repeat on that occasion; they conveyed a question and a request. The question was, whether the terms of the French treaty were not such as to abolish the duties upon the articles enumerated—upon the commodities enumerated—under Article 5 of that treaty, in favour of all nations, not in favour of the produce of France and Algeria only? That question he raised in 1860; and although the Lord Chancellor, who was then Attorney General, stated that the operation of that article was in favour only of the produce of France and Algeria, he (Mr. Newdegate) stated that such opinions were controverted; and he now asked the Government to inform the House, whether the interpretation of the treaty then given by the Attorney General was found to be correct, when tested by the negotiations which had been carried on with other countries subsequent to the conclusion of the treaty with France. Now, all that the hon. Gentleman who represented the Foreign Office had stated tended directly to the conclusion that the duties abolished on the commodities enumerated under the 5th article of the treaty with France, were abolished by the operation of that treaty on commodities imported from all the other countries of the world. He would ask the Government to bring the question to a practical test. Let them lay before the House the text of the Belgian treaty, so that hon. Members could compare the provisions of that treaty with the provisions of the French treaty, and see whether the danger which he anticipated in 1860 was, or was not, brought upon this country by the operation of the French treaty. He ventured in 1860 to say that those who negotiated that treaty had placed the Emperor of the French in the position of being the representative of all mankind; and he asked whether the repeated answers received by the British Government, when they attempted to negotiate with other countries, did not show this, that the operation of the French treaty had placed France in this position, that her action governed the action of all other foreign countries with respect to the commerce of England? He was a very humble Member of that House; but if any hon. Member would turn to *Hansard*, he would see, that supported as he was by the legal opinions of learned Members who sat near him, over and over again in 1860 he urged upon that House, "You are making over to the Government of France the decision of other foreign countries, when you apply to them, or shall apply to them hereafter, for any commercial treaty." It was a grave subject; and he trusted that the Government would, by laying on the table of the House the text of the Belgian treaty, and, by the information at their command, enable the House to judge whether this country was not placed in the position of being bound to follow in the footsteps of France when France was negotiating foreign treaties, owing to this country having nothing to give in exchange, and having rendered herself a suppliant for the same favours as were given to France, who had retained the power of giving something in exchange. Look at what had been stated by the last speaker. We went to Belgium, and they said, "What can you give us in exchange?" Our answer was, "We have nothing to give." And in a commercial sense that was true; then followed a demand for a political concession. Why we could not negotiate at all, except by making some political concession in return for commercial stipulations. The hon. Member for Bradford was inclined to blame the Foreign Office; but, according to papers laid before them in 1860, Earl Cowley represented to the Government at home that such was the rapidity of the operations of the hon. Member for Rochdale, then at Paris, that the noble Earl was totally unable to follow them, and he could not therefore be responsible for them. Therefore, it was unjust to blame the Foreign Office for the acts of an independent negotiator, who completely outstripped our ambassador. If any one deserved credit for the French treaty, it was the hon. Member for Rochdale; and, on the other hand, if they were bound hand and foot by that treaty, and were therefore incapable of negotiating other treaties, it was the hon. Member for Rochdale who ought to be held responsible.

MR. HENNESSY said, his hon. Friend the Under Secretary of State had referred to a subject upon which he had employed himself a little during the recess; but he must appeal from his hon. Friend to the Cabinet Minister who sat close beside him. His hon. Friend stated that the Consul General at Naples had given a return of the trade between England and Naples, from which it appeared that our trade with the Neapolitan provinces since their annexation had been most flourishing. What, however, if the Board of Trade told a totally opposite story? He had in his hand the last Return presented by the Board of Trade, that for the eleven months ending December, 1862, containing the most complete information which it was possible to obtain on the subject; and in every page in which the words "Naples and Sicily" occurred the House would observe a decline in the trade. Page 9, embracing the eleven months ending November, 1862, gave an account of the imports of wine into this country from Naples and Sicily. The figures showed that the value of those imports was £197,000 in 1861, and £183,000 in 1862. Page 13 also indicated a similar falling-off in the wine trade—namely, from

£66,000 in 1861 to £38,000 in 1862. Page 25 referred to our linen trade with Naples and Sicily, and it showed that the amount in money value of our linen which they took in 1861 was £66,000, and in 1862 it was only £51,000. The quantity of linen yarn had also fallen off. It should be observed that he was now quoting from every single page in which Naples and Sicily were mentioned. Coming to the iron trade with those provinces, it amounted in 1861 to £88,000, and in 1862 to but £79,000. In the woollen trade a falling-off was likewise exhibited, from £207,000 in 1861 to £161,000 in 1862. Those figures exhausted all the articles specified in the Board of Trade Returns, and pointed out that in all of them there was a decrease. In opposition to the authority of those Returns his hon. Friend had asserted that there was a general increase in our trade, although he had not entered into any details, or told them what was the increase in each particular article. His hon. Friend had also alluded to our maritime intercourse with Naples and Sicily. It was a matter of little importance how many British ships sailed into or out of Naples and Sicily, or how many Neapolitan vessels came to this country; but even in reference to the statistics of shipping there was a difference between the Under Secretary and the Board of Trade. At page 36 of the Returns four tables were given with respect to shipping. From the first of them it appeared that the number of foreign vessels which had entered the ports of the United Kingdom coming from Sicily had declined since 1860 from 141 to 139. The vessels that had cleared had, of course, also declined, the number in 1861 being 187, and 140 in 1862. But the table to which he called particular attention appeared at page 37, where again he found a decline. It gave an account of the number and tonnage of the vessels entered inwards and cleared outwards from various countries during the ten months ending the 31st of October, 1862. Unfortunately, they did not include the whole year, but there was a falling-off in each case, except in the fourth table, where alone there was a slight increase. What was the moral to be drawn from these facts? The Board of Trade Returns contradicted the Foreign Office, and might be fairly taken as correct. Indeed, where the officials of the Foreign Office were in error, or in want of information on matters of trade and commerce, they were bound to be guided by the statistics of the Board of Trade. But that was not all. His hon. Friend had not adverted to an important report on the trade and commerce of Italy and the state of Italian finance received by Earl Russell from Mr. West, the Secretary of the Legation at Turin. Our Consul General at Naples was contradicted, not only by our own Board of Trade, but also by the Secretary of our Legation at Turin. That gentleman informed Her Majesty's Government that there was a steady decline in most branches of British commerce with Italy, and that that decline was owing, as might naturally be expected, to this fact, that the taxes of Piedmont were so heavy, her customs duties so cumbrous, for the purpose of keeping up a large army, as to discourage trade. As an illustration of this, Mr. West stated that the occupation of Southern Italy by Piedmontese troops was so expensive that, to use his own words, "it will swallow up the total revenues from all the rest of the annexed provinces put together." Yet they found an organ of the Foreign Office not quoting that report, but quoting a statement not before Parliament from our Consul General at Naples, who was not appointed to his present office without the express sanction and approval of the Piedmontese Government. And that marked the distinction. The Secretary of our Legation at Turin was perfectly independent of the Piedmontese Government, and his statements, like those of the Board of Trade, might be regarded as reliable. Again, what was notoriously the present financial condition of Sardinia? Why, she was now demanding a loan of, he thought, 700,000,000*f.* Last year the Piedmontese Finance Minister found that he had a deficit of £17,000,000; and how, he should like to know, could it be expected that the Government of which he was a Member would, under these circumstances, lower the customs duties and meet this country in the free-trade spirit of which so much had that evening been said? The hon. Member for Bradford, addressing his constituents on the subject during the recess, had, if he was not mistaken, told them that our trade with Tuscany, or at all events that portion of it with which they were most intimately concerned, had declined since her annexation to Piedmont had taken place.

MR. W. E. FORSTER: I said the tariff had become higher since the annexation, but I did not state that the trade had diminished. To do so would be to state that which I do not believe.

Mr. HENNESSY said, he could show the hon. Member that our trade with Tuscany had also declined, as was natural should be the case if the tariff had been largely increased. He found that in 1861, for instance—he quoted from the second last Returns, because the last did not give the required class of facts—while our trade with Tuscany had for three-quarters of the year amounted to £844,000, it had in the corresponding three-quarters of 1862 fallen off to £771,000. Yet, notwithstanding those figures, the hon. Member for Bradford seemed still to be under the impression that that trade had not undergone a decrease. It was not, however, by the Board of Trade alone that evidence of the error under which the hon. Member laboured on the subject was furnished. Earl Russell had sent two gentlemen to institute inquiries on the very question through Sir James Hudson, and there had been a despatch to the noble Lord from our Consul in Tuscany, written early last Session, which went to confirm the view which he (Mr. Hennessy) was endeavouring to lay before the House. He might add that he had been at Leghorn at the close of 1860, when a meeting of the Chamber of Commerce, attended by a great number of British merchants, was held; and upon that occasion a memorial had been forwarded to the Piedmontese Government to the effect that the trade of Leghorn would be destroyed if the Piedmontese tariff were applied to Tuscany. But not only were the duties now higher than those which existed before the annexation, but the Piedmontese system of taxation was antiquated and cumbrous in the extreme. In Tuscany, previous to the annexation, an *ad valorem* scale of duty prevailed, whereas now it was specific. Last year, with some difficulty, he obtained from Earl Russell a despatch from our Consul at Tuscany on this subject, and it explained the operation of the new tariff on the Bradford trade. It would appear that the trade of Bradford with Tuscany consisted for the most part of a kind of woollen mixed with silk, which commodity, under the old tariff, paid a very slight duty, but which, under the present, being placed in the category of silk, was subjected to so high a charge that he believed the trade in it was extinct. The reason, therefore, was clear why the policy which the hon. Member supported had caused his constituents to suffer. He would simply say, in conclusion, that it was disgraceful to see such a difference prevail between two public Departments as that which seemed to exist between the Foreign Office and the Board of Trade in the case under discussion, the representative of the one Department denying that decline of trade the reality of which his Colleague, a Cabinet Minister, sitting by him, had supplied the means of establishing.

Mr. SOMERSET BEAUMONT said, it was by no means to be wondered at that after the occurrence of great political changes the financial and commercial results were not precisely the same as those which previously obtained; nor did the statistics quoted by the hon. Gentleman who had just sat down at all convince him of the fact he was so anxious to prove—that the present condition of Italy was worse than it had been before the annexation took place. He could not at all concur with the hon. Gentleman by whom the subject under discussion had been introduced in the various criticisms which he had made on the conduct of the Government in reference to commercial treaties. He found, for instance, that since they came into office they had negotiated treaties with France, Turkey, and Belgium, while the Prime Minister himself had spontaneously, at a meeting in a large commercial town which he had visited during the recess, urged the immense advantage which it would be to this country to have a commercial treaty with Austria. The community, however, to whom the speech was addressed, instead of sending a Member to support the noble Lord, elected one on the question of the narrow or the broad gauge. He might observe that he had not long ago taken part in the proceedings of a chamber of commerce in which the treaty with Belgium was discussed, and that he had not heard a single fault found with its provisions; while, so far as the objection that our Government had never begun negotiations for treaties until France had set the example was concerned, he could only say that it was refuted by the fact that we had made a treaty with Turkey without waiting for any such incentive to action. It must also be borne in mind, in dealing with this question, that foreign countries were not so much frightened at entering into competition with the manufacturers of France as they were with those of England. He should be more disposed to agree with the hon. Gentleman opposite if it could be shown that the Government had been remiss in the promotion of commercial relations between this country and Austria. That was a subject of very great importance, and one which he had brought before his constituents recently. The hon. Under Secretary for Foreign Affairs had, however, stated, what he believed to be perfectly accurate, that Austria was not at present free to consider a commercial treaty with this country. The answer given by the noble Lord at the head of the Government last Session, when he (Mr. S. Beaumont) put a question on the subject, was that till the relations between Austria and the Zollverein were settled we could not expect to get a treaty with Austria. He did not believe that her Majesty's Government could be blamed for not having succeeded in bringing about commercial relations with Austria. That country presented an excellent field for commercial intercourse. There was growing up there, under the exercise of free discussion and liberal institutions, a desire for free trade. They had the assurance of the noble Lord at the head of the Government that the Austrian Ministry were alive to the value of free trade, and he felt confident that at the proper time the noble Lord the Foreign Secretary would show that the Government was not open to the imputation of being dilatory in these matters, and would be able to add another commercial treaty to those which had recently been contracted.

MR. LIDDELL said, he thought that the commercial community were greatly indebted to his hon. Friend for calling attention to that important subject. He felt that there could be nothing more unsatisfactory than what had fallen from the lips of the Under Secretary for Foreign Affairs. He always believed that free trade never could be conducted by one man or by one nation—it required two or more as parties to the arrangement; and it appeared that in consequence of having given up what the Chancellor of the Exchequer had once called the rags and tatters of protection, of which he at the time thought a better use might have been made, we were now in a position of having no inducements to offer to other States, for greater commercial freedom, and our prospects as to treating with them were absolutely hopeless. He understood that such was the case with regard to Spain and Portugal, for which countries we had made unexampled sacrifices, but the tariffs of which in respect to our ships and to some classes of goods were more restrictive and oppressive than those of any other countries. Austria, we were told, could not, on account of its peculiar position in reference to other German Powers, enter into a commercial treaty with this country; and yet, as had been shown by the hon. Member who had just sat down, in a most able and valuable pamphlet, there existed in that empire a most extensive and most valuable field for our commerce. All that was now left for us to do was to lose no opportunity of laying before those States, our commercial relations with which we wished to extend, the successful results which had attended our own adoption of free-trade principles and practice. He was afraid that our Foreign Office was not sufficiently active in that respect, but he hoped that in future no such opportunities would be neglected.

MR. LEVESON GOWER said, he felt bound to protest against any language which would imply that by the reduction of customs duties this country had sacrificed anything whatever. It had been stated by the hon. Gentleman the Under Secretary for Foreign Affairs that there were only two ways of approaching foreign Governments on the subject of treaties of commerce, one of which consisted in having something to offer, the other method being to leave matters to their generosity. But both these plans were perfectly useless in our case, because we had nothing more to offer, and in the tone of the hon. Gentleman who had just sat down he fancied he detected something like a tone of regret that we had not something like a rag of protection left for the purpose. In any such feeling he could not participate, because he believed that our national prosperity was in a great measure due to our commerce being free and uncrippled by any such restrictions. It was useless to appeal to the generosity of other nations, because he did not believe that our own legislation was ever guided by considerations other than those which at the time were thought best for the interests of England. What this country ought to do was to appeal to the self-interest of other nations, and to point out to them the advantages derivable from free trade. The very fact that we were in possession of those advantages at the same time that we had no means of driving a bargain, was in itself a recommendation of any suggestions which we might offer.

Mr. DISRAELI :—Sir, it is, I think, very much to the credit of the Liberal party that we have at last heard from an hon. Gentleman a free-trade speech. I shall not offer any observations in vindication of those rags and shreds of protection of which the House has just been reminded. I think our opinion upon that subject has been expressed in a manner which cannot be mistaken. Our sincerity as to the course of policy which it has been the wisdom of the country to pursue has been proved by as great sacrifices as can be made by public men. But upon the other side of the House—where hon. Members are, or are supposed to be, the advocates of free trade and Parliamentary Reform—I did not expect to have heard this discussion commenced by the Under Secretary for Foreign Affairs making a personal and violent attack upon my hon. Friend near me, on the ground that because he advocates the policy of commercial treaties he is showing himself to be a new convert to the principles of free trade. Sir, I never heard that commercial treaties were connected with the abstract principle of a free exchange of commodities between nations. There is nothing very modern, I believe, in the invention of commercial treaties; nor am I aware that the Tory party have ever shown a disrelish to support commercial treaties, if commercial treaties are to be accepted, as we are told by a Member of the Government, as a test of sincerity of belief in the principle of free trade. Why, Sir, commercial treaties, even with France, have been negotiated successfully by Tory Ministers many years before the present commercial treaty with France. There was the commercial treaty of Mr. Pitt, which was only a reproduction of the treaty which Lord Bolingbroke, a Tory Minister, negotiated successfully more than 150 years ago for the interchange of products between England and France on terms much easier than those that at present exist. And why was that treaty negotiated, but not ratified ? Why was it defeated ? It was defeated through the opposition of the Whig party in this House. Mr. Addison, one of the most distinguished Members that ever sat in this House, and who afterwards was Secretary of State, exerted all his wit and unrivalled powers of humour and composition in ridiculing the arrival of a distinguished foreigner in this country — one Count Tariffe, whose mission was to introduce the habit of free exchange of commodities between two great nations. Those powers of ridicule and humour, supported by the unfortunate prejudices of the country, defeated that treaty. Therefore nothing can be more unfounded than to suppose that because we on this side of the House are in favour of commercial treaties we are in fact at all deserting those principles which have been habitually supported, I may almost say for centuries, by the Tory party. But the hon. Under Secretary of State attacks my hon. Friend, and says, "Because you are a supporter of a commercial treaty I hold you up to public reprobation as only a recent convert to the principles of free trade." Now, Sir, if there can be anything opposed to the abstract principles of free exchange upon which unrestricted competition depends, it is, it must be, those regulations or conventions by which reciprocal advantages are sought in the commercial exchange of nations. You are departing from those principles which you take every opportunity of claiming as your own ; you are departing from the ground of pure science and inexorable logic the moment you attempt to negotiate the terms upon which commercial exchange shall take place. Now, in the case of the French treaty we came forward with certain advantages which we proposed to exchange for others. That I thought myself at the time, generally speaking, to be a most wise policy. I thought, and always have thought, that anything which favoured commercial exchange between England and France was a policy which each country ought to favour, but the scheme was entirely contrary to those abstract principles of free exchange which you have always upheld. Nothing, then, can be more inconsistent than to reproach any Gentleman on this side because he supports commercial treaties. I remember, Sir, many years ago, introducing the subject of commercial treaties to this House. It was before the hon. Member for Rochdale, a gentleman who on all subjects shows great capacity, was one of its Members. But having supported in that Motion the system of commercial treaties, as one which I thought would, upon the whole, most promote the increase of the commerce of this country, I remember being attacked out of this House by the hon. Member on that subject. I do not know whether the words were uttered aloud, so that we can find them in the authentic record; but I can say from my own personal experience, that no less a personage than Sir Robert Peel said upon that occasion, "Don't you think we have heard the last of commercial treaties?" Well, Sir, we had not heard the last of commercial treaties. A very considerable commercial treaty was destined to be negotiated years after. So shrewd, so sagacious a statesman as Sir Robert Peel, so cautious in expressing his opinion, in 1844 probably was, then, of the belief that we had heard the last of commercial treaties. Yet we had not heard the last of commercial treaties. A most important commercial treaty was afterwards negotiated, and by whom? By the hon. Gentleman the Member for Rochdale (Mr. Cobden). Now, that is a lesson to all of us. It teaches us this—that whatever the value or the truth of abstract principles, it is in their application—in the wise and necessary application of those principles, that is involved the prosperity of nations. Now, Sir, I think we are very much indebted to my hon Friend for bringing this subject before us; not that I think the observations he has made to-night, or the interesting debate which has followed, will at all advance in this country the question of commercial treaties. I think we have got into a position in which that is impracticable; but the discussion will at least teach the country the position which upon that subject it really occupies. We have no means of negotiation, and it is most unwise, in my opinion, to hold out generally to the country that the Government have the power of negotiating treaties of commercial advantage. The country has accepted the policy of unrestricted competition. If it be dissatisfied with that policy, let it frankly announce its dissatisfaction. But we cannot have the advantage of a policy of unrestricted competition and at the same time, as regards commerce, enjoy the advantages of exchange under diplomatic arrangement—it is impossible at once to enjoy both. The country now wants to have the double advantage, but warning enough has been given. You have been told often and often by Members of this House that whether it regards commerce, or whether it respects navigation, you were too liberal in parting with the advantages and privileges you possessed; but the principles of unrestricted competition were adopted, and it is now too late to inquire whether you are right or wrong. The policy which you then supported was accepted, and by that policy you must, in my opinion, stand. Why, in navigation alone, I remember how constantly you were told that you were needlessly giving up a thousand points. The constant answer was, "Only make the surrender, only endure the sacrifice, and you will see that your example will inspire others." I am not aware myself of the satisfactory returns to which those sacrifices have tended. They appear to me, as far as I can recall them at this moment, to be very slight and mean. But the policy was adopted after great discussion—after frequent appeals to the country—after great debate in this House, and great political consequences; and that you should now endeavour to combine the commercial advantages which accrue from unrestricted competition with the benefits which can only attend upon diplomatic arrangements, is a monstrous effort, which, depend upon it, must end in failure. It is not now for you to come forward, you who favour free trade and commercial treaties, and find fault with the Government because they cannot accomplish such results. You have yourselves resolved that the means which only can bring about these arrangements should be surrendered at discretion. You gave them up without condition, and it is impossible now to resume the position you have lost. But that is no reason whatever why the Government should attempt to carry on negotiations in this matter in the manner that the present Government does. The Government know very well the position they occupy, and we are painfully conscious of it and; the Government, who are always better instructed than the House of Commons, must be doubly conscious of the difficulty of attempts to negotiate commercial treaties. The fault I find with the Government in pretending to negotiate commercial treaties is that they hold out an idea to the country that by an Italian or Austrian treaty they would create a great interchange. They know that it is impossible they can do it. It would be more dignified, to my mind, to hold aloof. Having adopted a commercial system the principle of which is unrestricted competition, it would be more dignified, and I believe, in the end, more successful, if you held aloof, rather than pretend that you can negotiate these treaties. Every day we hear, "We have had a successful commercial treaty with France: why not with Italy, why not with Austria?" You know very well that you cannot have the same results as with France. You had something to give to France. You had that principle of reciprocity to act with, the principle which you have always despised and always condemned. That led to your success—that led to the results which have been obtained, and you claimed that as a discovery which was accomplished more than a century ago by some of the greatest Statesmen that have ever existed in this country. It is past. The age of commercial treaties is past, because you have no means and no materials for negotiation. All you can do is to exercise that moral influence, of which we hear so much, with foreign countries with which you are placed in communication, to lead them by your own example and your own prosperity. Never mind whether it arose from your present or your old system of commerce—for the old as well as the present system of commerce has equally brought prosperity to this country—from the contemplation of that prosperity the conviction will grow in those countries that with immense resources they are producing small revenues; that they are not raising revenues that bear a due relation to their resources, and you may trust to that to lead to reciprocal exchanges and mutual benefits in commercial transactions. But you will gain that as completely, and perhaps sooner, without the embarrassment of commercial treaties than you would with these conventions. I regret that, through the conduct of the Government and through the extraordinary behaviour of the free trade party in patronizing artificial agreements of exchange, there has arisen in this country the impression that the best and most politic mode of stimulating commerce is to have recourse to that method. That was a good theory twenty years ago, and not only a good theory but a good theory which could be put in beneficial practice. I will not enter into a discussion now—at all times a barren controversy—whether if, twenty years ago, you had followed the principle of commercial exchange you would have derived more advantage than by suddenly adopting the principle of unrestricted competition. You have adopted unresticted competition as the principle of your commercial code. By accident certain articles were excepted, and two years ago you used them as the means of negotiating a treaty of commerce with a great country, with a large population, and with very rich and very valuable resources. You have played all your cards, and to attempt at the present moment—to pretend that you can assist and support the commerce of this country by commercial treaties is a mere delusion. No doubt the Government of this country may make use of its legitimate influence to obtain commercial advantages, but to obtain treaties on commercial and political principles are two different subjects; and my hon. Friend is perfectly right in pointing out how important it is that the Government, when holding out the principle of commercial treaties as one highly advantageous to our allies, should not follow at the same time a general policy which irritates the feelings and offends the pride of foreign Governments. In taking that line my hon. Friend is highly to be commended, and no doubt what he has said will lead to suggestions in the public mind which will be advantageous. At the same time I regret very much that hon. Gentlemen opposite, after so many years, during which they have held with so much tenacity abstract opinions on commercial exchange, should now come forward and be agitating the country with the absolute necessity of making artificial arrangements for stimulating the commerce of the country. The plan which they seem now to foster is one not founded on right principles, and practically cannot be carried into effect; and any commercial treaties which England may now negotiate, and which when they are negotiated must be beneficial to the different countries concerned, no man can deny must be negotiated by political influence, and not by the influence of commercial considerations.

MR. MILNER GIBSON: Sir, I have been appealed to during this debate, and therefore I rise to reply to the questions that have been put to me. Otherwise I should have been very little disposed, after the able speech of my hon. Friend the Under Secretary for Foreign Affairs, to take part in this discussion. We have had a narrative of the proceedings of the Government since the conclusion of the French treaty in reference to making commercial agreements with foreign countries. The debate has been called interesting, and probably is so. But I have been unable to follow many of the speakers, and throughout the discussion I have observed a certain confusion, as if the speakers were thinking of different subjects, and not discussing a particular Motion. There is a remarkable difference between the hon. Gentleman who submitted the Motion, and the right hon. Gentleman the Member for Buckinghamshire. The former reproved the Government for not seizing every opportunity to make commercial bargains with foreign nations. The latter tells us that the age of commercial treaties is past, and that all we can do is to use political influence or pressure, I suppose, to make foreign countries alter their tariffs. We have had an account of the opposition to the French treaty in the time of Mr. Pitt. The French treaty two years ago met a similar opposition at the hands of the right hon. Gentleman, and he appears in those days to have taken up what I understood him to call the former error of the Whigs. But the hon. Gentleman who submitted the Motion entirely approved the last French treaty, and his whole speech was a comment upon the conduct of the Government since that period. With regard to the Belgian treaty, the hon. Member for North Warwickshire (Mr. Newdegate) asks why the text is not given. I have simply to say that the treaty has been laid on the table, and is to be found in the library, and the hon. Gentleman will there see what it has accomplished. I contend that it has accomplished great benefits for this country. The Belgian treaty contains, first of all, the favoured nation clause, which had no existence before in our relations with Belgium—a most important stipulation, because before the treaty France enjoyed a preference in the Belgian market, and since its conclusion France and England are treated with perfect equality. The second advantage is that we have assimilated the British and Belgian flags. Produce, whether carried by a British or a Belgian ship, is to be admitted for the future upon equal terms, and that is acknowledged by the salt trade of this country to be a great benefit, because heretofore salt imported in English ships was subjected to a differential duty. But the most important result of all is the favoured nation clause, because by putting an end to the system of preference which was given to France in the Belgian market we have reduced the Belgian tariff as against English productions 50 per cent. There were many duties which ranged up to 40 per cent—but, taking an average, the duties upon English textile fabrics imported into Belgium ranged as high as 30 per cent, and they have been reduced to a rate not exceeding 15. I think, therefore, we have accomplished through that Belgian treaty important results for the benefit of England. It has been said by the hon. Member for the King's County (Mr. Hennessy) that our trade with Italy has not increased, and that the Board of Trade Returns contradict those which have been supplied by Her Majesty's Consul General at Naples. I have not seen the returns which my hon. Friend quoted as coming from Naples; but I have no doubt that the figures which he quoted are correct, and they show in the particular articles referred to a probable diminution in the trade with Italy, comparing a certain number of months of 1862 with the same months in 1861. But from what I heard fall from my hon. Friend the Under Secretary (Mr. Layard) I think the Consul General's returns were made in the gross, and it may be quite true that particular articles have fallen off in 1862. I laid on the table only this evening the annual Returns made up to the 31st December, 1862, and they are not as yet printed. I dare say it may turn out that the export trade to Italy in 1862 may be less than in 1861. There are many reasons why that should be the case. The high price of cotton and its diminished production must have had a tendency materially to affect the whole export trade of England. But I think it would be only fair to compare 1860 and 1861 with 1857 and 1858, omitting 1859, which was a year of war, and therefore not to be taken into the comparison for the amonnt of trade. Now, the whole value of the British exports to Italy in 1857 was £3,246,261, and in 1858 £3,677,663; but in 1860 it was £4,220,112, and in 1861 £5,333,261. Such is the declared value in those years of British exports to Italy—that is to say, to Sardinia, Tuscany, and the Two Sicilies. I think, therefore, when the hon. Member for the King's County (Mr. Hennessy) looks into the facts of the case, he will find that although the Board of Trade Returns do not quite tally with the statement of my hon. Friend, it is substantially true that the trade with Italy, for the last two years, has shown a tendency to increase and has in fact materially increased. Now, with regard to the Italian treaty, to which my hon. Friend (Mr. S. Fitzgerald) has alluded, as a case in which the Government were not showing the vigilance which they ought in watching our commercial interests, all I can say is, that—as far as my knowledge goes, there having been constant communications between the Foreign Office and the Board of Trade in reference to that treaty—that charge is unfounded. As soon as we found that Italy was about to revise her tariff, and that France was almost forcing from the necessities of the country such a tariff as would be favourable to her interests, Her Majesty's Government set themselves to work, and represented to Italy those reductions which might be made in our interest, and which might well be considered while the tariff was under revision. But there is no doubt that whatever Italy gave to France she would give to England under the operation of the favoured nation clause. It is quite true we have it not in our power to go to different countries and say, "If you make this reduction in your duties, we will make that in ours." We have weeded out of our tariff so many duties that it is not possible for us to make offers of that kind, but I am rather inclined to agree in some observations which fell from the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) as to commercial treaties. I, for one, never held the doctrine that we should wait before making reductions of duties in this country favourable to ourselves, because other countries would not co-operate. I have always held we ought to make those reductions which we consider beneficial. I look upon the French treaty as an exception to the general rule, though I would rather not lay down any general rule or abstract principle, because in this matter, as in all other political questions, exceptions are sure to arise. I do not think tariff treaties in themselves desirable, speaking abstractly, or that any country should shackle itself by engagements with other countries as to the particular mode in which it would raise its own revenue. I think in these matters it must obviously be the interest of this country to act for herself. But because the French treaty has been concluded, and there has been a stipulation for the reduction of duties on the part of France, and concessions of duty on the part of England, it does not follow that England is to run about endeavouring everywhere to make tariff treaties. That policy has never been recommended, nor has it been encouraged by the recent proceedings of the Foreign Office. All that has been done is to ask, where we have not had the favoured nation clause, to get it, and we have never ceased to urge upon other countries the necessity of considering the duties which affect our interests. I do not think the experience we have had since the French treaty is at all discouraging. We cannot expect that foreign countries should change their opinions upon protection all at once. We, in this country, were a long time before we were convinced that protection was a bad thing, and I am not certain that all the Members of this House are as yet convinced that it is. I am sure the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) is, but I do not know that the hon. Member for North Warwickshire (Mr. Newdegate), for example, is convinced. But, be that as it may, we ought to be indulgent, seeing that strong habits and prejudices are not to be got rid of in a day, and that the course which France has taken in negotiating commercial treaties with other nations is having a great effect in spreading free trade throughout Europe. Whatever reductions are made to France we must strive to get, either in virtue of our moral claims or by the favoured nation clause. I think, then, we have every reason to be satisfied with that commercial policy which has been pursued by this country, and which will gradually bring about in Europe not only the conviction of the soundness of the principle, but the adoption of the practice of free trade.

Motion *agreed to.*

House at its rising to adjourn till *To-morrow* at Two of the clock.

POOR LAW—(PATRICK BOURKE).

PAPERS MOVED FOR.

LORD JOHN BROWNE :—I feel it my duty to call the attention of the President of the Poor Law Board and the Chief Secretary for Ireland to the removal of a pauper named Patrick Bourke from Leeds to Westport in the county of Mayo, because I believe that the death of this unfortunate old man was undoubtedly hastened, if not caused, by his removal, at the age of seventy-three, during the very worst season of the year, when very insufficiently clothed, and when in a very weak and very delicate state of health ; and because I think it right that the Government and the House of Commons should, from time to time, be made aware of the cruel mode in which this most harsh law is frequently administered by the petty parish authorities of some districts in England. Patrick Bourke was a native of the Claremorris and not the Westport Union; but that is a matter of small importance, as he left Ireland forty-three years ago, during the whole of which time he stated that he resided in the town of Leeds, in the country districts surrounding it, or in other towns in that immediate neighbourhood. He was by trade a spectacle-maker; and when he was removed, there was brought over with him a box containing a complete set of the tools required for that trade, together with a large number of spectacles, about twenty of them completed and nine or ten of them in different stages of manufacture; the workmanship of the whole of which showed that he was undoubtedly a most excellent workman. As long as he continued in good health, he said that he never asked for or received a single penny of parochial relief, being well able to support himself by his trade; but at last old age and infirmities began to prey on him, and during the last few years he said that he had on several occasions sought relief in the hospital of the Leeds poorhouse for about a week at a time. Last autumn, however, he had a more serious illness; for, for several months previous to his removal, he was a continuous inmate of the hospital of the Leeds poorhouse. Without any information as to what was to be done with him, Bourke stated that he was, on or about the 30th of December, taken from his sick bed in that hospital, medicine having been given to him on the very evening before his removal, and carried over to the extreme west of Ireland—as a deck passenger in the steamer from Holyhead to Dublin during a terrific storm (by night I believe); on an outside jaunting car for the last ten miles of his journey, also in very bad weather; all this time without any great coat or covering, exposed to the cold, the rain, and the storm, till he was delivered up at the Westport poorhouse, wet through, of course, and as miserable and wretched an object as it is possible to conceive. The porter, who received him, was shocked at his appearance, and asked the removing officer, "How any body of gentlemen (referring to the Leeds Board of Guardians) could send such a weak old man on such a journey in such weather." The removing officer replied, that "he was a paid officer; he had his orders, and he should obey them." Every care was taken of the unfortunate man; but the following morning he got diarrhœa, which his weak and exhausted constitution could not withstand; he got weaker day by day, till he died on the twelfth day, when the medical officer of the poorhouse made the following report to the guardians, to the truth of which report he subsequently swore:—

> "I beg to report that Patrick Bourke, aged seventy-three, who was admitted to the hospital on the 1st inst., and labouring under chronic bronchitis, weak heart, and general debility, was removed from Leeds to Westport by the Leeds Board of Guardians in a very inclement season. Immediately after his admission he got severe diarrhœa, under which he sank, notwithstanding the greatest care and attention, and died on the 13th inst. I consider his removal, at such a time and in such a state, injudicious, and calculated to hasten his death."

Now, Sir, I beg the attention of the House, while I show how the unfortunate man was clothed during this cold, winter journey. He had "a body coat, trousers, and waistcoat, of thin black cloth, well worn, two coloured shirts, but no flannel, no drawers, and no great coat." Is it to be wondered at that he was in his grave in a fortnight's time? It is, however, only fair for me to state that when he was crossing in the steamer, he, by "by giving something to one of the crew," as he said, "was allowed to get into the caboose:" that is the cookhouse on deck; and but for this, he said, he never would have reached Dublin alive. He was not, however, allowed to go below, though the removing officer said he never saw worse weather; that it was enough to kill any man; but he added "there was no place below for the likes of him; he could not be put among respectable people;" so the unfortunate old man was left on deck, to get what shelter he could for himself; or if he could get none, to perish from the cold and the wet. To the last, Bourke never ceased to say that his days had been shortened by his journey. If he had known, he said, what they were going to do with him, he would have left the Leeds poorhouse on the morning of his removal; and if they had left him there for another week, that he would have been again able to earn his bread; but, he said, "they hurled me out without mercy, and shortened my days." The Irish Poor Law Commissioners ordered their Inspector, Dr. Brodie, to hold an inquiry on oath into the circumstances of this case. That inquiry has been held, and the evidence taken down in writing by Dr. Brodie himself. I beg to move, Sir, that Dr. Brodie's report, and the evidence on which it is founded, be printed and circulated amongst the Members of this House. I beg the particular attention of the President of the Poor Law Board to that document. If he finds that it bears out the statements which I have made, I trust he will agree with me that this is not a case which ought to be lightly passed over; but that he will order an inquiry to be held in England, similar to that in Ireland, on oath, with the evidence taken down in writing, and that he will select to conduct that inquiry, some man of high character and strict impartiality, who will understand that he is sent to make a *bonâ fide* inquiry, and not to obtain a mere legalized form of acquittal. I think it is of the utmost importance that the Irish Poor Law Commissioners should be represented at that inquiry. Unless that is done, I believe the inquiry will be a mockery; and it would be better to have none at all than one at which only one side, and that the accused, shall be represented. Recollect that this is not an isolated case; it is no doubt worse in its details than most of these Irish removals; but there is scarcely an Irish Member of this House, who has not at this moment in his possession some case of undoubted hardship, and of questionable legality; but it is impossible for us in Ireland to ascertain the truth of these cases. In almost every one, the statement of the pauper differs materially from the depositions sent over by the English parochial authorities. In nearly every manufacturing town in the North of England, and in many of the country districts, there are large numbers of labourers, tradesmen, or work-people in the factories, who, though no doubt Irish by birth, have left that country, with all their friends and families, thirty, forty, or fifty years ago, who during the whole of that time had been labouring to increase the wealth of England, have been helping to create those colossal fortunes which have given many an hon. Member his seat in this House, and in the other House too, but who, when they are at last overtaken by old age or infirmity, or disabled by accident, are, as Bourke described it, "hurled out without mercy." The English pride themselves on being a humane and just people, but I ask is this humanity or justice? Is it impossible to get the English Members, who form so large a majority of the votes in this House that we are absolutely at their mercy, to agree to some modification of this barbarous law? Is it unreasonable of us to ask that a man should not be sent back to Ireland after he has left it for over thirty years; that no person should be sent as a deck passenger in the winter season; that persons over the age of sixty (say) should not be removed during the three or six worst months of the winter season; and that all persons, no matter what their age or sex, shall be properly and sufficiently clothed for the journey, and not sent over as Bourke was? Sir, I must now leave this case in the hands of the President of the Poor Law Board for the present. I trust he will not consider it as an attack on him and his Department which he is bound to repel, but rather as a case which it concerns his honour and his credit to have thoroughly and impartially investigated, and I earnestly hope that it will induce him to consider whether it is not possible to procure some change in the Law of Irish Poor Removals, which will prevent the recurrence of such a melancholy case as that which I have felt it my duty to bring before the House of Commons on this occasion. The noble Lord concluded by moving for a Copy—

"Of the Report of Dr. Brodie on the removal of a pauper, named Patrick Bourke, from Leeds to Westport, in the county of Mayo, together with the evidence on which that Report is grounded."

Mr. C. P. VILLIERS said, he did not complain of the noble Lord bringing forward this case, though he had already told the noble Lord that he had had not received any official communication on the matter. He had had a communication, however, that morning from the guardians of the Leeds Union, simply because they had observed a statement made in *The Times* newspaper and the noble Lord's notice in the Parliamentary Votes. And if the noble Lord would give him a correct statement of the facts of the case, he would officially communicate with the guardians of the union; and if their explanation seemed to require it, a formal inquiry should be instituted with the view of eliciting the truth. He did not collect, from what the noble Lord had said, on what authority he made his statement. The noble Lord had referred to the evidence of the medical man, but had not stated that he held the depositions in his hands or had any authority for his statements.

LORD JOHN BROWNE said, that he stated that the medical officer's report was sworn to; and, with respect to bringing the matter forward, he had given eight days' notice of his intention to do so.

MR. C. P. VILLIERS said, that with the communication on the subject from the Leeds Board of Guardians there were enclosed depositions of the removal officer who had acted in the case, who was himself an Irishman, from the master of the workhouse, and the medical officer. These communications, however, were not in consequence of any letter from the Poor Law Board, but had been forwarded to him in consequence of the noble Lord's notice. The guardians expressed their readiness to submit to further inquiry, and to meet by sworn testimony any further statements that might be made to support the charge against them. It appeared that, from a desire to act humanely, the Leeds guardians employed an Irishman, and a person who knew the Irish in Leeds, to remove any natives of Ireland whom they resolved to send to their own country, and the first of the depositions was made by that individual, whose name was John O'Rourke. It was as follows :—

"I am removal officer for Irish paupers for the township of Leeds. On the 30th of December, 1862, Patrick Bourke was taken in a cab at 9 a.m., under a justice's order of removal, to the railway station, to meet the 10·30 a.m. train to Holyhead, *en route* to Ireland. He did not complain of diarrhœa or bronchitis, and appeared as well as any of his age could. I took his ticket and travelled with him third class. I paid 1*s*. for a berth, in addition to deck passage, in the cook's department, near a good fire, and he was under cover all night. He had during the voyage bread and butter, and tea, more than sufficient, and as frequently as he asked for it, and I paid for the same, and during the passage I visited him at least half a dozen times. On arriving at Dublin he was taken by rail to Westport, previous to which he had a good breakfast, for which I paid 9*d*. He had on the journey, from Dublin to Westport, twice bread and cheese and part of a shank of ham with me, which I took for that purpose. After the completion of the journey by rail to Castlebar we had to travel about eight miles by car to Westport, during which time he was covered with an oilskin coat, which I borrowed of the carman to cover him, and from this place he had only to walk about half a mile to the workhouse. During the journey he appeared to be in good health and spirits, and on his arrival at the workhouse he told the master that he had been well treated by the Leeds guardians while in their workhouse, and also by the removal officer while on the journey. The pauper had with him a box, containing about two or more dozen pairs of spectacles. One pair on the journey he sold for 1*s*.; this and the remainder were left in his possession."

The deposition of Mr. Henry Douglas, master of the workhouse, was as follows:—

"I am master of the Leeds workhouse. Patrick Bourke was admitted on the 5th of May, 1862, on the order of a relieving officer. He does not appear in the medical book, except to be supplied with tobacco. On the 9th of May his name appears in the 'prescription book' to be supplied with medicine of an aperient nature. For several months previous to his removal Patrick Bourke appeared to be in good health and spirits. During the time he was an inmate of the workhouse, I was not aware that he was subject to bronchitis or diarrhœa. He left the workhouse between nine and ten o'clock on the 30th of December, 1862, with the removal officer, pvevious to which he rose with the other inmates to partake of breakfast at half past seven, and thanked me for the treatment he had received while an inmate of the workhouse, and bade me good morning, and from his manner I thought he was pleased at the prospect of returning to his native country."

Then came the deposition of the medical officer, Mr. Thomas Land—

"I, Thomas Land, medical officer to the Leeds workhouse, do hereby certify that I have carefully looked over the medical books, and find that Patrick Bourke was ordered aperient medicine on the 9th of May, 1862, and a cough mixture on the 10th of November, 1862, since which time I have not seen him professionally. Had he been taken ill at any other time, my attention would have been directed to him."

He might observe, that under the existing law guardians removing a pauper to Ireland might act as the board at Leeds had done, or adopt the alternative of sending a person in charge of the pauper removed only as far as the union of the port where he landed ; but such was the desire of the Leeds Board of Guardians to carry out these removals in the most considerate manner possible that they uniformly sent the removal officer to the place where the pauper had claimed to be taken. In this case it appeared that the man himself wanted to go back. He swore to the place of his proper destination, and the guardians sent him there. They said that they had never heard of his alleged illness until the case was brought under public notice by the noble Lord. With respect to what the noble Lord had said of the law being odious or inhuman, he begged distinctly to deny that it deserved that character. It was an amended law, proposed by himself as President of the Poor Law Board two years ago. Anything that could be alleged as savouring of inhumanity in the old law was removed by the existing Act. There were defects in the old law, and they were brought under public notice by the hon. Member for Dungarvan (Mr. Maguire) in such a manner as arrested the attention of Parliament, and was principally instrumental in bringing about a change. The law was now a humane one. A long residence in a particular parish was no longer required to protect a poor Irish man or woman from removal. Residence in one union for a space of three years relieved them from all liability to removal. But for that change in the law, not thousands but perhaps tens of thousands of Irish would have been removable from the distressed districts in Lancashire and Yorkshire during the present winter. Those people were now irremovable, owing to the law which the noble Lord called an inhuman one. Of course, those intrusted to administer the law may have erred, or neglected their duty. That was not his fault. If the noble Lord could bring forward a well-substantiated case of abuse, he should be glad to get the evil redressed. He promised him a full inquiry; but as far as the case yet had gone he did not think the statements made to the noble Lord were borne out by the weight of evidence.

MR. BAINES said, it was not only the duty of Irish Members, but also of English Members, to insist that reasonable and humane care should be taken in the removal of Irish paupers, and of all paupers. In this case, from the evidence which had been furnished to him, and which had been read by his right hon. Friend the President of the Poor Law Board, as well as from his own knowledge of the Poor Law Guardians of Leeds, he was convinced that there had been no known or intentional neglect, but, on the contrary, every care that could be reasonably required. There was certainly a remarkable conflict between the evidence furnished to the noble Lord (Lord John Browne) and that supplied to him; but he asked the House to look at the very complete case made out in refutation of the charge. The two points of importance in the case were—First, was the pauper removed when known to be in such a state of health as to make his removal dangerous or improper; and, secondly, was there anything in the mode of removal calculated to injure his health? On the first point, the master of the Leeds workhouse gave both positive and negative evidence: he said, "For several months previous to his removal Patrick Bourke appeared to be in good health and spirits: he was not aware that he was subject to bronchitis or diarrhœa." Now, this was in absolute contradiction to the statement made by the noble Lord, that the pauper had been for several months a continuous inmate of the hospital, and that he was taken from his bed in the hospital to be removed to Ireland. The removal officer stated, that "during the journey Bourke appeared to be in good health and spirits:" and the medical officer of the Leeds workhouse stated that the pauper had only had medicine twice, on the first occasion within four days after his admission in May last, and the second time, a cough mixture, nearly two months before he was removed; and he added—"since which time I have not seen him professionally: had he been taken ill at any other time, my attention would have been directed to him." Now, that was strong evidence that the man was not known to be in a state of health which made his removal improper. On the second point the evidence seemed completely to negative the imputation of want of care or undue exposure. The pauper was taken in a cab to the railway, and travelled in the same conveyance as the removal officer himself, and was under cover during the whole journey and voyage till he came to Castlebar. It had been said that he was exposed on the deck of the steamer in crossing the Channel; but so far was this from being true that he had a berth, paid for by the removal officer, in the cook's department, under cover all night, near a fire, and with plenty of food. As to food, it was deposed that he had on the steamer, "bread and butter and tea more than sufficient;" that he had breakfasted at Dublin, and that he shared with the removal officer twice of bread, cheese, and ham on the Irish railway. He (Mr. Baines) thought it might be questioned whether cheese and ham were very suitable food if the man was subject to diarrhœa. But it was not known that he had such a complaint, and the pauper had the same fare as the officer. Then for the last few miles the man was conveyed, from Castlebar to Westport, on an outside car; but this was, he supposed, the only mode of conveyance in that part of the country, and the officer borrowed an oilskin coat for the pauper from the driver of the car. He was conveyed to the workhouse at Westport, and the officer deposed that the pauper had "appeared in good health and spirits" during the journey, and that on his arrival he told the master he had been well treated both in the workhouse at Leeds and on the journey. This narrative seemed completely to negative the charge of inhumanity of any kind or at any stage. When the President of the Poor Law Board mentioned that the removal officer was an Irishman, there was an expression of something like derision; but he hoped no Irish Member joined in that derision. To him it seemed that the employment of an Irishman for that service was some guarantee of fellow feeling towards the pauper. It was alleged that the weather on the 30th of December was very inclement; but they would all remember that the weather at that time was singularly mild. He had thought it his duty to make these few remarks as Member for the borough of Leeds, and he declared his strong conviction that the treatment of paupers at Leeds was decidedly humane and liberal. He would only, in conclusion, invite and challenge the fullest investigation into the case.

Mr. H. A. HERBERT said, the statements which had been so triumphantly referred to by his right hon. Friend might or might not be well founded, but they were worth just as much as the statements of any other persons that were charged with a breach of the law. He had no wish to controvert those statements; but what Irish Members had a right to complain of was, that when any of these acts of injustice were alleged, whether truly or untruly, and a *primâ facie* case was made out, Irish boards of guardians possessed no power of obtaining an inquiry or of getting anything like justice. When the 24 & 25 *Vict.*, c. 75, 76, were passed, the Irish Poor Law Commissioners directed Irish boards of guardians to bring under their notice any cases of alleged breach of these Acts, and sent a form of questions to be put to the pauper. In a case which had come under his notice a long statement was accordingly sent to the Commissioners, with the sworn depositions of the pauper, and the Commissioners sent down their own inspector to inquire. But the end of that elaborate investigation was, that the Commissioners wrote back remarking that the depositions were entirely at variance with the statement of the clerk of the English union, and that their power of inquiry did not extend beyond Ireland. What was asked for now was, that somebody on the part of the Irish Poor Law Board should be present at the examination at Leeds in order to see fair play. That was not the only case of irregularity in the removal of paupers from England. In the report of the Poor Law Commissioners for 1862 there was a grave complaint of habitual breach of the law in this respect, and a large number of instances, with full details, were given. The Poor Law Board did not deny those allegations, but was obliged to own that in many of the cases adverted to irregularities had occurred. In referring to the subject the Secretary to the Board said that in the event of such misconduct being repeated it would be necessary to consider whether a penalty should not be imposed on offenders. He hoped, therefore, that some means would be taken to compel the removing authorities to observe the law.

Sir GEORGE BOWYER said, he thought the noble Lord deserved the thanks of the country for bringing this case forward. He did not think the right hon. Gentleman the President of the Poor Law Board was personally to blame in the matter, as he was of a humane and kindly disposition. He would not go into questions of ham, cheese, or oilskin coats; but could say, from his own experience, that paupers were frequently removed who were utterly unfit for a journey. Perhaps no Member of the House saw more of the Irish poor than he did, and cases were constantly occurring within his knowledge that satisfied him of the truth of what he was now saying. People came to him who had been discharged from hospitals, or who, if not discharged from hospitals, were in a state of disease, and who said they could not apply to the Poor Law authorities, as, if they did, they would be removed to Ireland. The question was one of humanity that addressed itself to the feelings of every man in that House, and he thought that something ought to be done, either by a change in the law or by the interference of the guardians to prevent a recurrence of such cases of cruelty and hardship. In his opinion what was required was a comprehensive regulation, prohibiting the removal of any one without the certificate of a competent officer that he or she was in such a state of health as to be fit for removal.

Mr. MAGUIRE said, he was glad to see the manner in which the English Members of the House had received the statements that were made on this subject.

He wished, however, to warn the President of the Poor Law Board not to place implicit credence in the statements of those who were accused of violations of the law. He hoped the present case would be inquired into; and, whatever the result of it might be, he was satisfied the English Members would never consent to such irregularities. The law in its amended form was, on the whole, humane, giving to the Irish poor in this country rights which they never possessed before. He was convinced, that if strictly and fairly carried out, it would to a certain extent mitigate the harshness of any removal to Ireland.

Mr. HENNESSY said, he doubted whether the law, even in its present form, deserved the eulogiums of the hon. Member for Dungarvan. In Ireland there was no power of removing English paupers to England, whereas there was here a power of transferring Irish paupers to Ireland.

Mr. ROEBUCK: Are there any English paupers in Ireland?

Mr. HENNESSY:—Yes, and political paupers too. He wished to know whether the Irish Government had made any inquiry into the seventy-three cases of irregularity and breaches of the law mentioned by a previous speaker. The Irish Commissioners said that their jurisdiction did not extend beyond Ireland. What steps then had the Irish Government taken in this matter?

Lord CLAUD HAMILTON said, he trusted that the publicity given to the case would render it impossible but that an immediate and a searching inquiry should take place, with the view of remedying any evils that might exist, and preventing a repetition of such evils. He could not but express his astonishment at the warmth of the right hon. Gentleman the President of the Poor Law Board, because the right hon. Gentleman was greatly mistaken if he supposed that any portion of the House underrated the importance of those alterations in the Poor Law which he was so instrumental in effecting. He (Lord Claud Hamilton), however, thought that in many instances the law was not carried out. He was of opinion that the House had heard enough to be convinced that there was wanted some system by which the Irish Poor Law Commissioners could make their complaints in such a way as to ensure an inquiry into them. At present it appeared they could only write letters on the subject, having no jurisdiction beyond their own country.

Sir ROBERT PEEL stated, that when a complaint was made by a board of guardians in Ireland, an Inspector was instructed to inquire into the matter. He reported to the Poor Law Commissioners in Dublin, who, in turn, reported to the Chief Secretary's office. A communication was then made to the Home Secretary, by whom the case was transferred to the President of the Poor Law Board. Such was the course followed in the seventy-three cases referred to by the hon. and learned member for the King's County. These cases were now under the consideration of the English Board, and he had no doubt that justice would be done. He was glad that the case of Patrick Bourke had been brought before the House; because, if there had been any irregularity or violation of the law, it would, no doubt, be remedied by the full inquiry promised by the President of the Poor Law Board.

Motion *agreed to.*

Copy *ordered,*

"Of the Report of Dr. Brodie on the removal of a pauper, named Patrick Bourke, from Leeds to Westport, in the county of Mayo, together with the evidence on which that Report is grounded." [*Parl. P.* 75.]

PRISON MINISTERS BILL.

LEAVE. FIRST READING.

Sir GEORGE GREY said, he rose to move for leave to introduce a Bill to amend the law relating to the religious instruction of prisoners in the county and borough prisons in England and Scotland. His Motion was intended to redeem a pledge which he gave last Session on the occasion of the discussion of a Bill introduced by the hon. and learned Member for the King's County (Mr. Hennessy), when he expressed the opinion that the law was in a state which required some alteration, in justice to that large body of prisoners who were not members of the Established Church. He would state what the law was which he proposed to alter. The Bill related only to what were termed borough and county prisons, not to convict prisons which were under the immediate charge of Government, and where the prisoners were under sentence of penal servitude. County prisons were regulated by the Act of 4 *Geo.* IV., c. 64, and borough prisons by 2 & 3 *Vict.*, c. 56. The law of Scotland was more recent—23 & 24 *Vict.*, c. 105, but it contained provisions of the same character as those in the English Law. The 4 *Geo.* IV., c. 64, s. 28, required the justices in quarter sessions to nominate for each prison within their jurisdiction a clergyman of the Church of England as chaplain, and empowered them to award him a salary proportioned to the number of prisoners which the prison was calculated to receive, and payable out of the rate applicable to the maintenance of the prison. The general duties of the chaplain were defined to be, the performance of the morning and evening services of the Church of England on Sundays, Christmas days, and Good Fridays, and the frequent visiting every room and cell occupied by prisoners, for the purpose of directing such books to be distributed and read, and such lessons to be taught, as he may deem proper for the religious and moral instruction of the prisoners. It is, however, provided that—

> "If any prisoner shall be of a religious persuasion different from that of the Established Church, a minister of such persuasion, at the special request of such prisoner, shall be allowed to visit him or her at proper and reasonable times, under such restrictions imposed by the visiting justices as shall guard against the introduction of improper persons, and as shall prevent improper communications."

But although, at the special request of any such prisoner, a minister of the church or persuasion to which he belongs is allowed to attend, that in no way modifies the right or duty of the chaplain to visit and minister to prisoners of all persuasions. There was one modification, only applicable to prisoners under sentence of death. In this case, if the prisoner makes a request to be attended by a minister of his own persuasion, the chaplain is not to attend him, it being felt unseemly to have controversial discussions going on in presence of a prisoner, and within a few hours of his execution. That is the law at present with regard to the borough and county prisons in England, and in its main features it is the same in Scotland. The Bill was not confined to any religious class or denomination, but its application would chiefly refer to Roman Catholic prisoners, for the reason that there were but comparatively few prisoners belonging to any Protestant dissenting denomination, while in some prisons there was a large number of Roman Catholics. Since these Acts were passed, intercourse between all parts of the United Kingdom had become much more frequent, and in many large towns of Great Britain the Irish formed a considerable part of the working population, and unfortunately contributed largely to the crime of the district. A Return had had been moved for with reference to this subject by his noble Friend the Member for Arundel, which extended to May, 1862, from which he found that the whole number of Roman Catholics in county and borough prisons in Great Britain was at that time 3,371, exclusive of convict prisons, which contained about 1,400. With regard to convict prisons, arrangements had been made for the payment of Roman Catholic priests, under direction of the Secretary of State out of funds granted by Parliament for the purpose; but with regard to those 3,371 Roman Catholics in the county and borough prisons no provision had been made by the existing law. The distribution of those prisoners was very unequal. There were of Roman Catholic prisoners 67 in Birmingham, 94 in Stafford, 141 in Kirkdale, 124 in Wandsworth, 183 in the House of Correction, Westminster; 207 in Manchester, 147 in Salford, and 485 in Liverpool, being more than one-half of the prisoners in that goal. In Glasgow and Edinburgh there was also a very large number of Roman Catholic prisoners. There was no provision by law for the religious instruction of these prisoners by ministers of their own faith, except the special Request clause, and the return showed that comparatively few made the request. This fact had been used as an argument against any further provision being made, but the class of persons who are found in our gaols are not likely to appreciate religious instruction. It would, no doubt, be the same with other denominations; the chaplain of the Established Church would have little to do if he had only to attend to those who made special request for his attendance. That fact constituted an additional obligation on the Legislature to see that means of religious instruction were placed within their reach. The provisions of the Bill were not compulsory, but permissive. It had been frequently stated by visiting justices that the special request clause tied their hands, and he proposed to remove all doubt on the subject by giving power to the local authorities (that is, justices in counties, visiting justices in boroughs, and in Scotland those who had the control of prisons), where the number of prisoners not belonging to the Established Church was so large as in their judgment to render it expedient, to appoint a minister whose special duty it should be to attend to the religious instruction of the prisoners of that denomination; and, if they should think fit, that they should pay a reasonable sum to any such minister as remuneration for his services, the sum to be charged on the same fund as the salaries of the other officers. There would be cases in which the numbers were not so large as to require a special appointment to be made, and in such cases it was proposed that the justices might permit a minister, without any special request, to attend the prisoners of any particular denomination, if they thought fit. A register of prisoners would be kept showing the religious persuasion of each, and that register would be open to the inspection of any minister appointed or permitted under this Bill to visit the gaols. He proposed to limit the statutable obligation imposed on the chaplains belonging to the Established Church to visit prisoners, so that that obligation should not extent to prisoners who were attended by ministers of other denominations. He ought perhaps to mention that by the law as it now existed in Ireland ample provision was made for the object which he was seeking to secure in England. In Ireland the law required that a chaplain of the Established Church should be appointed for every gaol, and it was in the power of the grand jury to provide for the appointment of a Presbyterian or a Roman Catholic chaplain, according as either denomination was most numerous in particular parts of the country. The effect of that law, although only an empowering statute as regarded the appointment of chaplains of the two last denominations, had been that in almost all the prisons of Ireland chaplains of one or other of those religious bodies had been appointed. He might also refer to the practice adopted in the military prisons, where that was done which he proposed to do with respect to civil prisons—namely, to divide the Protestant and the Roman Catholic prisoners into two classes, and to allow a Roman Catholic priest to attend to the latter. He knew the strong feeling entertained on the matter, and the jealousy which existed in regard to granting additional privileges to Roman Catholic priests. But, looking to the large number of Roman Catholics in the prisons, he thought some attempt ought to be made to remedy what was undoubtedly a serious grievance. It was a remarkable fact that in all Ireland, where the Roman Catholic prisoners were under the care of chaplains of their own persuasion, the total number of such prisoners in the county and borough gaols was about 1,000 less than the corresponding class in England, in May last, the date of the Returns to which he had referred. As both countries were under the same constitution, and had the same Established Church, he could not see why there should be any difference in principle between the law of England and Ireland on the subject. He trusted that the Bill would be allowed to be introduced. He proposed to fix the second reading for that day fortnight, and he earnestly hoped that it would be discussed in a spirit of Christian charity, without any attacks upon the religious belief of any portion of our fellow subjects, but with a simple desire to do by others who differed from us in creed that which we would wish to be done towards ourselves under similar circumstances. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MAJOR HAMILTON said, that he had understood the right hon. Baronet to have said that under the Bill justices of the peace in Scotland could order the payment of the chaplains who might be appointed. Now, it was well known that the only source from which the money could come for such purposes in Scotland was the county, and the money of the county could be obtained only through the Commissioners of Supply.

MR. WHALLEY said, he would ask the Home Secretary how he could reconcile it to himself to afford direct and compulsory privileges to Roman Catholic chaplains, when the Constitution of 1688 emphatically declared that the Roman Catholic religion should not be encouraged. The measure came before the House bearing the distinct lineaments of the Roman Catholic priesthood, and he objected to conferring further privileges or giving any additional money to support an *imperium in imperio* so hostile to civil and political liberty. At present Roman Catholic prisoners could obtain the ministrations of priests of their own Church if they desired it, and the Bill was therefore unnecessary. During the recess the right hon. Baronet had actually furnished those priests with keys to admit them to the cells of prisoners. Was that consistent with the civil and religious freedom of those so-called Roman Catholic prisoners who did not desire to see their priests? Why, the very acts which brought these men within the walls of a prison were directly taught in the books of Roman Catholic writers. The Returns obtained on the Motion of the noble Lord who represented Arundel (Lord Edward Howard) during the last Session clearly showed that not one-tenth of the prisoners avowing themselves to be Catholics ever sent for the priest at all. On the second reading of the Bill he would adduce evidence as to the doctrines and discipline of the Roman Catholic Church.

MR. MAGUIRE said, he wished to thank the Government for having introduced the Bill. At the same time, he would point out what he regarded as a weak point in it—the discretion left to the magistrates, who, in many instances, might be the members of a bigoted board. There was no reason why twenty Roman Catholic prisoners, if their names were on the registry, should not have the advantage of the ministration of a clergyman of their own Church, as well as if their number happened to be 50 or 100. It was, he thought, but right to add, that if there were as large a number of Roman Catholic prisoners in the gaols in England as the right hon. Baronet had stated, the fact was to be accounted for by the circumstance that it was the poorest classes among the Irish people who found their way to Liverpool and the other large English towns, and that the law with respect to removability operated with extreme harshness in their case.

SIR GEORGE BOWYER suggested that the number of Roman Catholic prisoners in a gaol should simply affect the amount of salary to be paid, adding that he felt assured he was merely speaking the sentiments of the clergymen of that Church, when he said they were perfectly ready to minister to the wants of every prisoner in every gaol in England without one farthing of remuneration. The regulations, he added, which prevented a Roman Catholic priest from visiting a prisoner unless at his own request operated most harshly; those who were hardened in crime, and who needed his ministration most, being the very persons who never made such a request. In illustration of the justice of the statement he might allude to a case which had been mentioned to him by a highly-respected clergyman — the Rev. Canon Oakley—in which the father and mother of a prisoner had begged of him to afford spiritual aid to a son of theirs, who was in gaol, but who had not asked for his services, and whom, in consequence, he was prevented by the prison regulations from visiting. Moreover, an Irishman did not understand the question, "Do you wish to see a minister of your own persuasion?" He supposed, when the word "minister" was used, that a Protestant minister was implied; and thus many difficulties arose from prison authorities speaking to prisoners in a language they did not understand.

MR. NEWDEGATE said, he was glad the hon. Members for Dungarvan and Dundalk had expressed their satisfaction with the Bill as far as it went, and it was only natural that they should do so. By the admission of the right hon. Gentleman the Secretary of State it was not asked for by the prisoners, and it would be extremely distasteful to the whole body of justices. It was then a concession to Roman Catholic priests—in fact, an invasion of the civil and religious freedom of the prisoners. He believed that the Bill would be received by the country as a political concession on the part of the Government which they would lament; and he trusted that on the second reading the House would prevent the forcing into the cells of the unwilling prisoners the representatives of a priesthood whose success in moral instruction was illustrated by the enormous preponderance of Roman Catholic prisoners in our gaols. He would not attempt the discourtesy of dividing the House now; but he must enter his protest against the Bill in the name of the Roman Catholic prisoners, who had manifested their distaste for the ministrations intended for them, and also, by their acquiescence in the teaching of the clergy of the Established Church, had shown, so far as they were competent to judge of their own moral requirements, that their condition in England was far preferable to that which the right hon. Gentleman thought more desirable in Ireland. He knew not how the Bill was recommended to the right hon. Gentleman except as a matter of political necessity: and he trusted that on the second reading, if there was a political pressure on one side, hon.

Members would show there was a pressure on the other.

Mr. HENNESSY said, he thanked the Government for having fulfilled the promise which they made last Session, and the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) for having suggested the measure, precedents for which were to be found in the action of the Earl of Derby, when Lord Stanley, with regard to the colonies, and in the warrant of the Secretary for War under that noble Earl's Government with respect to military prisons.

Mr. Serjeant PIGOTT said, that the Bill involved a great principle—namely, that where there was a small congregation of Roman Catholics there a priest was to be provided and to be paid by the country. If that were the principle, why was it not to be extended to villages and towns as well as prisons? He believed this was the principle involved, and the result would be that the Protestant Church must make up its mind speedily to divide the revenues of the Church with the Roman Catholics.

Sir GEORGE GREY said, that in answer to a question which had been asked by an hon. Member he had to state that with regard to the source from which the cost was to come in Scotland, it was proposed that where there was no special fund it should come out of the funds applicable to the expenses of the prison. In reply to the hon. and learned Member for Reading (Mr. Serjeant Pigott), he also had to remark that the case of persons in prison was entirely different from that of the free inhabitants of towns and villages.

Colonel STUART said, he wished to ask that the second reading of the Bill should not be taken in so short a period as a fortnight.

Sir GEORGE GREY said, that the Bill was printed, and would, he hoped, be circulated on the following day. He would fix the second reading for that day fortnight; but if further time was generally desired for the consideration of the measure, he should not object to give it.

Motion *agreed to.*

Bill for the amendment of the Law relating to the Religious Instruction of Prisoners in County and Borough Prisons in England and Scotland, *ordered* to be brought in by Sir George Grey and Mr. Bruce.

Bill *presented,* and read 1°. [Bill 24.]

PRIVATE BILL LEGISLATION.

SELECT COMMITTEE APPOINTED.

Mr. MILNER GIBSON moved for a Select Committee, "to inquire into the present system of legislation with regard to undertakings requiring the authority of Private Acts of Parliament, and whether any improvements can be made therein."

Mr. WHALLEY said, that although he thought the House had already before it sufficient information to enable it to legislate upon this subject, he should not oppose the appointment of this Committee. At the same time, he hoped that it would not follow the course pursued in 1846, 1853, and 1858, but would consider whether the time had not arrived when the House ought to delegate its functions in this respect to some permanent tribunal to be constituted to exercise them.

Motion *agreed to.*

Select Committee *appointed,*

"To inquire into the present system of legislation with regard to undertakings requiring the authority of Private Acts of Parliament, and whether any improvements can be made therein."

Mr. HADFIELD said, he would move that it be an instruction to the Committee to relieve parties resisting the taking away from them of property by Private Bills from the House fees, shorthand-writers' expenses, and other costs.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to consider the justice and propriety of exempting parties who shall appear before any Committee to resist the taking of property belonging to them, under powers proposed to be taken under a Private Bill, or for Clauses respecting the same, from the payment of fees, or the expense of shorthand-writers' notes, or other House fees."

Mr. MILNER GIBSON said, it was not usual to instruct a Committee to do that which it could do without such an instruction. Of course, the whole question would be considered by the Committee, and that of fees was within the scope of the inquiry. He hoped the hon. Gentleman would not press his addition.

Motion, by leave, *withdrawn.*

And on *Friday* February 20, Committee *nominated*, as follow:—

Mr. Milner Gibson, Mr. Lowe, Colonel Wilson Patten, Mr. Adair, Mr. Whalley, Mr. Richard Hodgson, Lord Stanley, Mr. Edward Pleydell Bouverie, Mr. Walpole, Mr. Massey, Mr. Puller, Mr. Hassard, Mr. Paull, Mr. Charles Forster, and Mr. Liddell.

House adjourned at half after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, February 18, 1863.

Minutes.]—Select Committee—*Report.*—Committee of Selection, *First Report* [No. 47].

Public Bills.—*Second Reading.*—Qualification for Offices Abolition [Bill 4];

Aggravated Assaults on Women and Children [Bill 15], *negatived.*

QUALIFICATION FOR OFFICES ABOLITION BILL—[Bill 4.]

SECOND READING.

Order for Second Reading read.

Mr. HADFIELD moved the second reading of this Bill.

Mr. BAINES seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. NEWDEGATE rose to move an Amendment that the Bill be read that day six months. The hon. Member who had moved the second reading seemed to think that the House would, as a matter of course, assent to the Motion. There had certainly been a small majority in that House for the Bill, but there was also a considerable minority whom he seemed to think would not venture to express their opinion. He seemed to think there was no other House of Legislature, although last year the House of Lords, by way of informing the hon. Member of their determination, rejected the Bill by a majority of thirty-three, after the third reading had been carried in the House of Commons by a majority of thirteen only. The hon. Member was therefore carrying on warfare at once against the House of Lords and against the Church of England. Upon every possible occasion the Liberals took the most direct means to destroy the order of things which the law authorized. That might be political consistency—it might be progress in their sense—but it meant a downward course towards the absolutism of democracy. When the Test and Corporation Acts were repealed, a declaration was retained which obliged the members of municipal corporations to declare on their acceptance of office that they would not use the influence, power, and functions of their corporate office in order to assail, weaken, or spoliate the Church of England. The Bill even went further than absolving them from these obligations, for it now proposed that any one who held office, commission, or patent, of any kind, under the State, should be at liberty to use the powers, functions, and influence of their position to attack the Church of England. They were asked to reverse the principle on which the whole course of our legislation for thirty-two years had proceeded. He trusted, therefore, that the majority of the House would reconsider this subject, and refuse to give the Bill a second reading.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 74; Noes 63: Majority 11.

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *To-morrow.*

AYES.

Atherton, Sir W.
Ayrton, A. S.
Aytoun, R. S.
Baxter, W. E.
Bazley, T.
Blencowe, J. G.
Bonham-Carter, J.
Bouverie, hon. P. P.
Brand, hon. H.
Briscoe, J. I.
Butler, C. S.
Butt, I.
Buxton, C.
Cardwell, rt. hon. E.
Clifford, C. C.
Clifton, Sir R. J.
Cobbett, J. M.
Cobden, R.
Cox, W.
Dalglish, R.
Denman, hon. G.
Dodson, J. G.
Enfield, Viscount
Evans, T. W.
Ewing, H. E. Crum-
Fenwick, H.
Forster, W. E.
Gaskell, J. M.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Goldsmid, Sir F. H.
Gower, hon. F. L.
Gower, G. W. G. L.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Headlam, rt. hon. T. E.
Henley, Lord
Herbert, rt. hon. H. A.
Johnstone, Sir J.
King, hon. P. J. L.
Knatchbull-Hugessen, E
Layard, A. H.
Langton, W. H. G.
Lawson, W.
Lewis, H.
Maguire, J. F.
Martin, J.
Massey, W. N.
Mills, J. R.
Morrison, W.
Onslow, G.
Packe, Colonel
Padmore, R.
Paget, C.
Pender, J.
Potter, E.
Raynham, Viscount
Roebuck, J. A.
Russell, A.
Seymour, W. D.
Sidney, T.
Stansfeld, J.
Taylor, P. A.
Trelawny, Sir J. S.
Warner, E.
Westhead, J. P. Brown-
Whalley, G. H.
White, J.
White, L.
Williams, W.
Winnington, Sir T. E.
Wood, W.
Wyld, J.

Tellers.

Mr. Hadfield
Mr. Baines

NOES.

Adderley, rt. hon. C. B.
Arbuthnott, hon. Gen.
Barttelot, Colonel
Beach, W. W. B.
Beecroft, G. S.
Benyon, R.
Booth, Sir R. G.
Bridges, Sir B. W.
Chapman, J.
Clive, Capt. hon. G. W.
Cubitt, G.
Dickson, Colonel
Dunne, Colonel
Dutton, hon. R. H.
Elphinstone, Sir J. D.
Fane, Colonel J. W.
Farquhar, Sir M.
Ferrand, W.
Forester, rt. hon. Gen.
Gard, R. S.
Getty, S. G.
Grogan, Sir E.
Haliburton, T. C.
Hamilton, Lord C.
Hamilton, Major
Hardy, G.
Henley, rt. hon. J. W.
Heygate, Sir F. W.
Hodgson, R.
Hotham, Lord
Howes, E.
Hunt, G. W.
Johnstone, J. J. H.
Knox, Colonel
Liddell, hon. H. G.
M'Cormick, W.
Mackie, J.
Mills, A.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morritt, W. J. S.
Naas, Lord
Northcote, Sir S. H.
Packe, C. W.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Peel, rt. hon. Gen.
Powell, F. S.
Ridley, Sir M. W.
Rowley, hon. R. T.
Seymer, H. K.
Spooner, R.
Stuart, Lt.-Col. W.
Stracey, Sir H.
Sturt, Lt.-Col. N.
Torrens, R.
Trefusis, hon. C. H. R.
Turner, C.
Watlington, J. W. P.
Whitmore, H.
Wynn, C. W. W.

TELLERS.

Mr. Selwyn
Mr. Newdegate

AGGRAVATED ASSAULTS ON WOMEN AND CHILDREN BILL—[BILL 15.]

SECOND READING.

Order for Second Reading read.

VISCOUNT RAYNHAM, in moving the second reading of this Bill, said, that while he retained the provisions which he had introduced into the measure on this subject which he brought forward two years ago, rendering those who committed aggravated assaults on women and children liable to corporal punishment, he had, in deference to what appeared to be the feeling of the House, so far modified his original proposal as now to provide that such punishment should be inflicted only upon a third conviction for the same offence. He, however, proposed that an additional term of imprisonment should be given for the first and second time the offence was committed. He hoped the consequence of the enactment of those provisions would be the diminution of the class of crimes against which it was his object to legislate. In view of the necessity of repressing offences of this character he trusted that even those who were opposed to corporal punishment would permit the Bill to be read the second time. If, when the Bill went into Committee, he found that there was a strong feeling against the infliction of corporal punishment, even upon a third conviction, he should not be unwilling to abandon that provision, in consideration of the benefits that would result from the adoption of the remaining provisions. The noble Lord concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. ALDERMAN SIDNEY could not see any ground for the introduction of the Bill. In his judgment the Law was not defective in its present mode of punishment. He thought it would be most inexpedient to deal too harshly with offences of this kind, because where the husband had undergone corporal punishment on the complaint of the wife, the effect would be to provoke lasting estrangement between them. He believed the Bill, if carried, would increase the mischief it was intended to allay, and therefore he should move that it be read a second time that day six months.

MR. BRISCOE seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

THE ATTORNEY-GENERAL said, it was, to say the least of it, very inconvenient, after the House had deliberately expressed an opinion in reference to a particular measure by rejecting it, that the same question, without any intermediate change of circumstances to warrant it, should again be submitted to the consideration of the House. This question was settled when the House agreed to the Acts for the consolidation of the criminal law, in 1861. The noble Lord (Viscount Raynham) then proposed an addition to one of the Bills, in effect the same as the Bill he now proposed; and if he (the Attorney General) recollected rightly, he did not find a seconder; at any rate, the House negatived the proposition without a division. That was in 1861; and could the noble Lord say that any change of circumstances had occurred to warrant the House to undo that which it deliberately did in 1861? On the contrary, he (the Attorney-General) believed that a reference to the records of the police courts would show that the offence had decreased. Beyond this, however, he contended that it was wrong to introduce a change in the Law after it had been well considered and assumed the form of consolidation. The proposal of the noble Lord was a direct reversion to the law of 1829. Since then a Select Committee had reported that sixteen years should be the *maximum* age of any person who should be flogged in prison, and he did not think the House would be disposed now to disagree with that conclusion. He should support the Amendment.

MR. BENTINCK thought the noble Lord (Viscount Raynham) deserved great credit for the energy and perseverance he had shown in pushing forward the measure. He (Mr. Bentinck) believed that the hon. Member for Stafford (Mr. Alderman Sidney) was altogether wrong in saying the law was now efficient. He undertook to say, on the contrary, that the law had altogether failed to prevent the offences against which it was aimed. He was glad to hear the hon. and learned Gentleman opposite (the Attorney General) say it was inconvenient to bring forward Bills upon which the House had already deliberately expressed an opinion, without any intermediate change of circumstances to warrant such a course. He hoped the hon. and learned Gentleman would adhere to that opinion on the Wednesdays throughout the Session. The hon. and learned Gentleman said it was wrong to change the law when once it had been deliberately settled. He (Mr. Bentinck) hoped, if any distinguished Member of the House introduced a Reform Bill, the hon. and learned Gentleman would repeat those words. In spite, however, of the arguments of the hon. and learned Gentleman, he (Mr. Bentinck) maintained that the present state of the Law was utterly ineffective; and he hoped the House would show its sense of the horror with which it regarded these assaults by giving leave to introduce this Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 43; Noes 153: Majority 110.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

House adjourned at Four o'clock.

HOUSE OF LORDS,

Thursday, February 19, 1863.

ITALY—ROME.—EXPLANATION.

THE MARQUESS OF NORMANBY said, he wished to call attention to a statement made on Tuesday evening by his noble Friend the Secretary of State for Foreign Affairs, in answering some observations of his (the Marquess of Normanby's) in reference to the Roman Question. His noble Friend then quoted a despatch of his (the Marquess of Normanby's) written in 1849, for the purpose of showing that all the policy of interference which had characterized the career of himself and his present chief was conformable to a policy laid down in that despatch. On looking at the original draught, he found that the noble Earl had arrived at that conclusion by omitting the sentence immediately before and the sentence immediately after what he quoted. It was a long despatch written to Lord Palmerston on the subject of a proposal to the French Government that it should join with Austria in recommending the Pope to grant reforms, and the omissions would be apparent when their Lordships heard the complete quotation—

> "France has, therefore, to consider her own peculiar position from the very outset. If England gives advice consistent with her disinterested desire for the progress of rational liberty—then, if her advice is taken, she has the credit and the satisfaction of having acted up to her principles; and if it is disregarded, it is consistent with her known habits of non-intervention that she retires from the offer without discredit. But France has 30,000 men at Rome."

The first and the last of these sentences had been omitted by his noble Friend in quoting the despatch. The reference to England was incidental, and had no relation whatever to the general policy of the Government.

EARL RUSSELL said, the noble Marquess had proved by the quotation that he (Earl Russell) was completely accurate in what he stated the other day. He stated what had been written by the noble Marquess for the purpose of showing his noble Friend's opinion that England might give advice in favour of rational liberty, which if it were taken would reflect much credit, and if not taken would reflect no discredit on England. He quoted the general axiom for that purpose, and the exact question then in agitation had nothing to do with his argument. He had promised his noble Friend to produce one or two despatches which had not been presented to Parliament, or extracts from them, as he had referred to those despatches, and he should be prepared to act upon that promise.

The Marquess of NORMANBY denied that there was anything in the despatch which laid down a general axiom.

The Earl of ELLENBOROUGH said, he understood the general rule to be this —that no public officer who had left office was at liberty to make use publicly of any document which had come into his possession while in office, except it had been published; and no Minister was at liberty to read anything from a public document, without at once laying it on the table.

The Marquess of NORMANBY said, as he had explained the other night to his noble Friend on the cross benches (Earl Grey), it was impossible for him to read from any document which was not published, for he had none in his possession. Like every other public officer, he had left all documents which came to him while in office in the archives of the place where he resided.

THE CONVICT GILBERT.

EXPLANATION.

Earl GRANVILLE said, he wished to inform the noble Earl opposite (the Earl of Malmesbury) that he had obtained the following particulars respecting the case of the convict Gilbert, which he had been unable to supply to his noble Friend the the other evening:—

> "G. J. Gilbert, convicted at the Hants Quarter Sessions, in October, 1851, of stealing money and sentenced to seven years' transportation (having been twice before convicted, once of felony, and once summarily). Released by licence, in the usual course, dated the 8th of May, 1855. Again convicted at Hants Quarter Sessions, in June, 1856, of robbery with violence, and sentenced to four years' penal servitude. This sentence he underwent in full. He was again convicted at the Hants Assizes in July, 1862, of murder with rape, and executed."

PRISON DISCIPLINE.—OBSERVATIONS.

The Earl of CARNARVON, in rising to call Attention to the present State of Discipline in Gaols and Houses of Correction, said, that the subject was one of considerable importance, although it might at first sight appear to be one of an uninteresting character. There were two classes into which the criminal population naturally fell—the convicts sentenced to penal servitude for various periods from three years and upwards to life, to which class the Royal Commission recently appointed had exclusive reference; and the prisoners sentenced to imprisonment in county and borough gaols for terms of from one day to two years. He did not intend to refer on this occasion to the first of these classes —it was entirely to the treatment of this latter class that his remarks would be directed. There were at present in England 87 county gaols, five "liberties," as they were called, of which he knew nothing, and 56 borough gaols, making a total of 148. Some still continued to be conducted on the associated system, in others the separate system was adopted, and others included both the associated and separate systems. Certain smaller gaols had of late years, particularly since the establishment of a constabulary force in counties was made compulsory, shown a tendency to merge into the larger county gaols, thus securing greater uniformity and greater efficiency of discipline. By the last Returns it appeared that there were no less than 130,000 prisoners committed to these gaols within the twelve months. This did not include summary convictions — there were very nearly 400,000 persons proceeded against summarily within the year, and between 260,000 and 280,000 acquitted. The average daily number of persons in those prisons was between 16,000 and 17,000. It would be seen that these 130,000 prisoners really constituted the great bulk of our criminal population — because, after all, in the different Government prisons at Pentonville, Milbank, Dartmouth, Chatham, and other places, there were not more than 6,000 convicts, according to the last Returns. He thought few judges would say that a large proportion of these 130,000 were not as criminal in act and intention as the convicts who were sentenced to long periods of penal servitude. It was a great evil in the system on which our judicial statistics were made up that they were always a year and a half or so in arrear, and the last Returns now before Parliament related only to the year 1860-1. These Returns showed a very startling increase in crime. During that year it appeared that the number of commitments to different gaols had increased by 13,000 persons, showing an increase of 13 per cent over the preceding year; the recommittals had increased by 3,400 persons, or

9 per cent; and there had been an increase of 33 per cent in the unfortunate class of criminal lunatics. In almost every head of criminal offence there appeared to have been an increase. He would state to their Lordships what had been the increase in the various kinds of crime. In those official statistics there were generally six heads, and he should read for their Lordships the commitments under those heads for the year 1860-1—

> "Increase of crime, 1860-1.—1. Offences against person; total increase=14 per cent; murder, increase of 30 per cent over 1859-60; attempts to murder, 26 per cent; shooting at, &c., with intent to maim, 2 per cent; rape, &c., 23 per cent; other offences, 21 per cent; assaults with bodily harm, 23 per cent; common assaults, 28 per cent; assaults on police officers in the execution of their duty, 24 per cent. 2. Offences against property with violence; total increase=38 per cent; burglary, increase of 40 per cent over 1859-60; housebreaking, 56 per cent; breaking into dwelling-houses and shops, and stealing, 23 per cent; robbery and attempts to rob by persons armed, 31 per cent. 3. Offences against property, without violence; total increase=11 per cent; various larcenies=9 per cent; increase also under receiving, embezzlement, false pretences, &c. 4. Malicious offences against property; total increase=18 per cent. 5. Forgery; total increase =16 per cent. 6. Miscellaneous; total increase= 19 per cent.

He thought there was enough in that state of things to create very serious alarm, and he did not think there was any reason to suppose that in the following year (1861-2) there was any diminution in the number of these offences. Their Lordships, from their own experience, could form a tolerably accurate idea how matters had stood in the portion of 1862-3 already expired. They were aware that during a very recent period there was such insecurity in the streets of London that it was dangerous to walk about after nightfall. The two principal points he wished to bring before their Lordships that evening were — First, that in a great many of the gaols, in a large proportion of the gaols and houses of correction in the kingdom, there was an insufficiency of penal discipline; and, secondly, that the different systems on which these prisons were administered were so various and diverse, and presented such discrepancies, as to very much impair the administration as a whole. As regarded the sanitary condition of those establishments, there was, he believed, little to complain of; but the question at issue was, how far the punishment inflicted in them was made effective and sufficient. It might be taken for granted, although so many various systems were in use, that "the separate system" was the one which was generally intended to be the basis of our prison disclipine; and the great question was, how to carry the sentences into practical execution; and the sentences inflicted by Criminal Courts were carried out under rules applying to labour and dietary and to cells and separation. The judges generally coupled their sentences of imprisonment with hard labour. An Act of Parliament set out the limits within which hard labour was to be enforced. Ten hours were intended to be the *maximum;* but he doubted whether such a *maximum* had ever been reached. He was sure that in the large majority of cases, the *maximum* was very much below the Parliamentary standard. In some prisons a *maximum* of six hours was laid down; but then came deductions which brought it down to some three or four hours. There were prisons in which the labour was of such a character as that prisoners were able to transfer it from one to another; and in other prisons, owing to the interference of well-intentioned theorists —who thought it practicable to make moral influences a substitute for hard labour—the visiting justices had come to the conclusion that the best mode of solving the difficulty was to give the prisoners no work at all. Again, as appeared from the report of the Inspector for the Southern Division, there was in some gaols a positive insufficiency of means of labour at all. As to dietary, in a large number of gaols meat was given to the prisoners every day in the week, either in the solid form or as soup. This was a serious question; but when they examined the subject a little further, they would find that in many cases there were certain luxuries, certain comforts, coupled with what might be called the more ordinary dietary, which made it a very grave question whether the dietary generally given to prisoners was not in excess of what it ought to be. In a large number of prisons tea, cocoa, milk, and, in some cases, beer were given; and it was stated that at Portland the convicts got an allowance of treacle and pudding, to make the other portion of their dietary still more palatable. Certainly, no one who looked at the scale of diet that had been issued by the Government could say that it erred on the side of severity; moreover, it was important to remember that the medical officer of a prison was empowered, at his discretion, to order an additional allowance of food to any prisoner. He was not prepared to say that such discretion was generally abused, but he did say there was the greatest possible discrepancy between the quantities of extra diet given in different gaols. Taking two prisons, in which the number of prisoners was about equal and in which the scale of dietary was about the same, he found that in one of them the extra dietary was given in the proportion of 1 to 8 while in the other it was only given in the proportion of 1 to 35 or 40. There seemed to be no rule on the subject. In considering the question of dietary, it was desirable to bear in mind the food at the disposal of persons in the same class of life under other circumstances. He did not know what was done in workhouses in the North of England, but he did know that in those in the south the cases were rare in which meat was granted to the inmates more than three or four times a week. In some of those workhouses it was not given so often. He was not now speaking of able-bodied paupers, whom it would not be desirable to indulge within the walls of workhouses; but he was referring to aged and infirm persons who had spent an honest life without spot or blemish. Again, to compare the diet of prisoners with that of the operatives of Lancashire, he doubted very much whether during the greater part of this winter the amount of money which reached the hands of those operatives enabled them to have meat six or seven times a week. Then, to take the case of the class from which those prisoners were principally drawn, 44 per cent of them came from the labouring class or persons connected with it. It was a rare thing for farm labourers to have meat more than once a week, yet here felons, some of whom had committed the most dreadful outrages, were being fed far in excess of them. It might be said that it was necessary to feed these men in order to enable them to do the work. But he did not believe that they ever got through the work which was set down for them, for there were very few prisons in which the work ever appeared in any tangible form. Again, it was argued, that if you cut down the dietary too low, the depressing influences of a prison would show themselves, and the vital energies of the prisoners would be so reduced that when released they would be unable to gain their livelihood. Now, he was not in favour of a starvation diet, but there was a practical point which might be reached between a starvation diet on the one hand and an excessively liberal diet on the other. He came now to the question of cells, and the influence which ought thus to be exercised over the minds of the prisoners. A prison cell, when surrounded by all the comforts of good clothing, warmth, and light, combined with high diet, really became at certain times of the year an object of desire as affording a comfortable domicile, especially to one of the nomad classes so often found in our assize courts. He had often heard prisoners express their gratitude to the Judges for sending them to gaol, and during the winter months of the year he had been positively thanked for doing the same thing. The Chaplain of the Northampton Borough Gaol expressed in his report his belief that the system of discipline as carried out there was not calculated to deter prisoners from crime, because "the daily attention to their wants and comforts is superior to what the generality of them obtain elsewhere." Looking at the bias which most chaplains had with respect to prison discipline, he did think that such testimony as this carried with it very great weight. As to the separation which was attempted, it was not a separation from all society, but only between prisoner and prisoner; and unless even this system were very strictly carried out, it was impossible to work it properly. He did not mean to say that in some cases the prisoners might not be separated, but he doubted very much whether there was a single gaoler throughout the country who in his conscience could say that under the existing system no communication passed between prisoner and prisoner. He doubted whether the construction of the gaols or the system allowed of it. At exercise or at chapel some communication must go on; but, setting these opportunities aside, the employment of prisoners upon garden or agricultural work, or as bricklayers, necessarily brought them into association, and then communications passed, which were often subversive of all discipline. Again, some prisoners were so hardened in crime that it was impossible to keep them in complete order without a system of prison punishments. On the other hand, gaol chaplains and inspectors set their faces against such punishments, and denounced them as a proof of mismanagement in any gaol where they prevailed. The consequence was, that there was a disinclination on the part of the visiting justices and the executive staff of prisons to notice or to punish offences committed there. This was not mere assertion on his part, because complete evidence was supplied in the last criminal returns. For several years past there had been a rapid decrease in prison punishments, and in one particular branch of punishments that decrease had been most extraordinary. Thus, in Reading Gaols the dark cells had been altogether shut up; and in 1859-60 it was computed that 1 in every 1,000 prisoners underwent corporal punishment, in the following year it was 1 in 1,500, and in the last year of which we had any returns the proportion was 1 in 2,240—a positive decrease of 75 per cent. At this result he was not surprised, because Prison Inspectors had recommended that corporal punishment should cease, and had triumphed over its disuse. Moreover, the whole course of Parliamentary legislation had been to throw every difficulty in the way of sentencing prisoners to corporal punishment. He was no advocate for an indiscriminate system of corporal punishment; nothing could be more revolting to the public sense, and nothing could tend more to brutalize prisoners. But there were certain cases in which he believed that corporal punishment was the only effectual remedy—for example, persons convicted over and over again of violent assaults, approaching to the verge of murder, would shrink from such punishment more than from any other; while in the case of juvenile offenders whipping would be the most merciful and at the same time the most efficacious punishment which could be inflicted. Another point of importance was one to which he had already alluded —the present extent of variation between the systems of different prisons. Thus, in some the labour system was based upon association, in others upon separation, and elsewhere, again, the mixed system was employed. The treadwheel was resorted to in some, in others, cranks, pumps, and oakum picking; in some there was no labour at all, while others seemed to be a sort of industrial school, and the prisoners were set to work as tailors, shoemakers, carpenters, tinmen, matmakers, weavers, and so forth. In some 56 steps on the wheel were required per minute; in others, 30 steps. In some the crank made 14,000 revolutions, in others 6,000. There was no uniformity in speed or in the construction of machines. As to the dietaries, some were higher, some lower than the Government scale. In some there were three meals, in some only two a day. Some had only one scale for all prisoners, whether committed for a few days or for months. In some the prisoners had the same diet every day; in others they had a variety of food, as at Wakefield, where they received pudding, treacle, and Irish stew. In some the cells were warmed and lit; in others they were not. In some the prisoners were allowed to sleep for twelve or fourteen hours; in some only seven or eight. In some there was association in chapel; in others there was not. In respect of the charge of prisoners, the cost varied from £87 4*s.* 7*d.* in Oakham county goal to £16 4*s.* 2*d.* in that of Kingston-on-Hull, and was £59 0*s.* 7*d.* and £18 3*s.* in Poole and Barnstaple gaols respectively—two borough gaols receiving the same number of prisoners, and generally resembling each other. In respect of the produce of prisoners' labour, in Coldbath Fields prison the actual produce was £1,901, and the estimated value of earnings £4,300, while in Abingdon Gaol the produce was only £2 1*s.* 7*d.* Those variances must lead to mischief to prisoners on account of the uncertainty of their sentences, and be injurious to the administration of justice, inasmuch as the sentences pronounced carried greater weight in some counties than in others. In conclusion, he would say a few words as to that which should govern prisons and prisoners — the principle upon which punishment was awarded. He dismissed altogether all fanciful theories—the idea of punishment for punishment's sake, as well as the humanitarian idea which made the moral reformation of the prisoner the be-all and the end-all of prison life. He accepted the views which he found were held by most of Her Majesty's Judges and by the great majority of reasonable people in this country, who had heads to be broken, lives to lose, or property to be stolen. The late Lord Denman, when examined before the Criminal Law Commission in 1850, said—

> "I hold the only legitimate end of punishment to be to deter from crime; but I think I perceive in some of the theories of benevolent men such a

mode of administering the criminal law as to encourage instead of deterring."

A noble Lord, now in the House, but then Mr. Baron Parke, expressed himself in the following terms, in which Mr. Justice Patteson concurred—

> "The principal object of punishment I take to be the protection of society, by deterring the offender from the repetition of the crime, and others from following his example, by the pain and inconvenience he sustains."

Another learned Judge, the late Mr. Baron Alderson, also said—

> "I believe that the humanity which inflicts a slight punishment for the first offence, and for which so many people obtain a great reputation for tender-heartedness, is real inhumanity."

By the opinions of these learned and experienced Judges, he was justified in holding that the leading principle of punishment was to make it such as would be deterring to the prisoner and to others. He did not mean to say that he would exclude all idea of moral reformation; but that was a contingency beyond the power of human calculation, and ought never to be allowed to override the real object of punishment—it should be secondary and subordinate to it. In short sentences, even by the confession of the advocates of moral reformation, it was perfectly idle to put in operation all the elaborate machinery provided in gaols for the instruction and reformation of prisoners. He would not trespass further upon their Lordships' patience; but as the subject was one of great importance, yet one into which the Royal Commission was not instructed to inquire, he felt it his duty to press it upon the attention of the Government, who, he trusted, would give it their fullest consideration.

EARL GRANVILLE:—My Lords, the noble Earl has made a very clear statement upon what is one of the most difficult and intricate of social problems, and which, at this moment, is attracting a great deal of public attention; and therefore, I think, few subjects could be more interesting to your Lordships than that which the noble Earl has brought before us. I will not follow the noble Earl into the details of his speech or the statistics of crime which he has quoted, as they form a subject with which the Commission will have to deal. With respect to gaols, the noble Earl has, I think, divided the subject into four heads. The first is that of hard labour, which is one of the most important elements of punishment. He said—what I think is true—that in several prisons hard labour does not serve the purpose for which it was intended. If I am not mistaken in respect of one of the principal gaols in the county with which the noble Earl is connected, the last report of the Inspector pointed out the inadequacy of the labour there. The noble Earl, I am sure, is not to blame for that, for in a speech he made at the beginning of the year he himself called attention to this matter. But there are great differences of opinion on the question of labour. With many men hard labour, when not carried beyond a certain point, and not exceeding their physical ability to perform, is a positive relief rather than an addition to the punishment. There is a difference of opinion as to the kind of labour that should be given—whether, if you make the work unproductive, hard labour is not more distasteful to prisoners than when they understand some results will flow from it. Then we cannot altogether leave out of view the desirability of reforming prisoners. As to diet, the noble Earl thinks it is too good. Without any personal knowledge upon these points, I think the probability is greatly in favour of the view that the whole system in county gaols is too lenient. And this is not surprising. For the last twenty years public attention has been directed to this subject, and pressure has been put upon Parliament and magistrates and visiting justices in quite an opposite direction to undue severity. It is almost impossible that, under this pressure, the practical result should not be, upon the whole, that too much attention has been paid to the comfort of prisoners, and not sufficient to the deterring effects of the imprisonment. At the same time, the question of diet is one of great difficulty. Some years since, when the dietary was lowered, the late Sir Benjamin Brodie, who was not a man to allow himself to be governed by mere sentimental feelings, gave an opinion that the effect upon the health of the prisoners would be serious; and therefore it became impossible to abstain from increasing the dietary scale. The noble Earl referred to the different treatment of criminals and paupers, and said that the former received two-fifths more food than the latter. There is no doubt, however, that the effect of prison life is of a depressing character even under the most lenient system of disclipine, and that it does require more animal food to prevent men from falling into a bad state of health, which we are not justified in inflicting upon them in addition to the punishment awarded. The noble Earl spoke of the eagerness shown by some prisoners, tried before magistrates, to return to prison, and said they frequently thanked the Judges for sentencing them. Although there may be some instances of that kind, yet, I think, in the great majority of cases, it is a little bit of bravado when the prisoner finds it impossible to avoid punishment, and then, to use a vulgar phrase, indulges himself by "chaffing" the Judge. I believe, even in the prisons to which the noble Earl has alluded, where the greatest leniency prevails, few prisoners would esteem it a greater boon to be retained in prison than to be let out of it. The whole question is one of great importance. It is difficult to be guided otherwise than by medical opinion in order not to expose prisoners to the danger of wasting by low fever. Men who live in bad circumstances, whose minds like their bodies may be said to be unsound—when such men come into prison, the common principles of humanity must induce us not to expose them to any influences detrimental to their mental or physical faculties. What you have to do is to make punishment deterrent, so that the prisoner, when he leaves the gaol, may be led to tell those who have been associated with him how bitter a thing it is to commit crime. With regard to the question of warming and ventilation, that also is a matter of very great difficulty. If you had the prisoners all in the same physical condition, and all of the same age, it would be very easily regulated. But the prisoners are not in the same condition, and the question of warmth and ventilation is precisely in the same position as that of food, the object being to keep them all in a proper state of health. When the prisoners are young and strong, an uncomfortable degree of cold, though unpleasant, would not injure them; while the same degree of cold would have most prejudicial effects on older and weaker constitutions. Then, with regard to communication, the great object should no doubt be, both in and out of prison, to dissociate prisoners from those with whom they were formerly in the habit of consorting, from whom they have acquired their worst habits, and with whom they naturally wish again to associate. That is in itself a great punishment. I think, while entirely agreeing that the real principle of punishment is that it should be deterrent, it is impossible not to see that it is necessary, as far as you can, to reform prisoners. You cannot keep them in the same state; if you do not make them better, you may be perfectly sure that they will become worse when they get out. You cannot hang them all, you cannot sentence them all to imprisonment for life; the time must come when they must be thrown again on society; and if you possibly can, you ought to improve their state of mind and industrious habits. Your Lordships must be aware that the Government powers are very limited in the matter of the discipline of gaols. They chiefly apply to the construction of new gaols, the certifying of the rules of county magistrates, and employing Inspectors and giving publicity to their reports; but there is no power of action on the part of the Government. It is very difficult to see how you can secure perfect consistency in the conduct of all prisons locally managed excepting by strengthening somewhat the central power —and that is a matter that ought to be gravely considered before the question is raised. It might be desirable to have a Committee of this House on the subject of the discipline of gaols, entirely confining the inquiry to that part of the subject, and without trenching on the duties of the Commission. The House is not overburdened with work at present, and the inquiry might lead to some useful recommendations.

THE EARL OF MALMESBURY said, he could attest the accuracy of the statements which had been made by his noble Friend (the Earl of Carnarvon). The noble Earl the President of the Council appeared to think that his noble Friend was in error when he stated that in some cases the expense of prisoners exceeded very much that of paupers in regard to diet.

EARL GRANVILLE said, he had guarded himself carefully from making a positive statement on the subject.

THE EARL OF MALMESBURY said, that the noble Earl had seemed to doubt the accuracy of the statement. Now, living as he did in the same county with his noble Friend, he could bear witness to the fact. The pauper was a great deal worse off with regard to diet and treatment than the occupant of the county gaol. The outdoor pauper, from age and illness, received 2*s*. 6*d*. to 3*s*. 6*d*. a week, while the prisoner in gaol was kept for not less than from 10*s*. to 12*s*. The criminal was therefore either in a much better state than the pauper, or the money was very badly expended. The effect of such comparisons on the lower classes—and they were constantly making them—was very unfortunate. It was by no means unusual to hear the observation, "It is better to be in Winchester Gaol than to have an outdoor allowance from such and such a parish." It had been frequently stated that both soldiers and sailors had less meat and other allowances than prisoners in some of the gaols in the country. In the case of one particular gaol in Ireland, it was clearly made out that a prisoner, who was a soldier, had more meat and more luxuries than the soldiers of the regiment to which he belonged. This fact was not only important in itself, but in a moral point of view, because the classes from which criminals generally came made those comparisons, and the effect on their minds must be extremely bad when they saw men who had committed the greatest crimes (not having been executed) actually in a better situation than those who had passed a long life of labour and honesty, or those serving Her Majesty in the army and navy. Such comparisons at once shocked the common mind, and took away all the terrors that ought to attach to the commission of crime. There were two things of which the criminal class ought to be completely convinced — that punishment was certain to follow conviction, and that the sentence awarded by the Judge would be immutable; instead of which, their feeling was that they might avoid detection and escape punishment altogether, and if convicted and sentenced by the Judge, that sentence would not be carried out.

Lord WODEHOUSE said, he had been much struck by the manner in which the noble Earl (the Earl of Carnarvon) had—quite unintentionally, he was sure—misled their Lordships by the statistics he had read. It was quite true, no doubt, that the criminal statistics for 1861 showed a considerable increase in crime over those of 1860; but in dealing with statistics they must not look to the figures of any one year. They must look to an average of years to draw a correct conclusion. Although there was a large increase in 1861 over 1860, yet in 1860 there was a decrease as compared with 1859 and as far back as 1857. In 1857 the commitments were 20,259, and in 1861 the commitments were 18,226. He would refer their Lordships to a Return of commitments for periods of five years. In the period from 1847 to 1851 there were 142,771 commitments; in the next five years, from 1852 to 1856, there were 129,335; and in the last five years, 89,123. So that, comparing these periods together, there had been a continued decrease in the number of commitments. He was not about to draw a conclusion in favour of all the details of our present prison system from that. On the contrary, he agreed for the most part in what the noble Earl opposite had so well stated on that subject; but he wished to point out the fallacy of inferring, because the statistics of crime for 1861 exceeded those of 1860—and he feared those for 1862 would show a further increase — that our system of penal discipline was altogether a failure. There had been several disturbing causes at work, such as the question of the treatment of convicts, the general condition of the country, and the like. He agreed with very much of what the noble Earl had stated—he agreed that there were great defects, such as the variety of punishment that exists in various parts of the country. It seemed to him that the great defect in our present system was its want of uniformity, so that it was a mere chance what kind of imprisonment a prisoner got. When criminals were sent to one part of the country, they were subjected to one kind of imprisonment; and if sent to another part of the country, to imprisonment of quite a different kind. He believed, however, that the main principles on which our prison system rested were sound. Those principles were the separation of the prisoners and the infliction of hard labour. The system of classification had been abandoned because it implied association, and the system of separation had been found far more efficient. By separation he meant their confinement, except during the hours of labour, in separate cells. That principle was carried out in our best-regulated prisons, where also care was taken, when the prisoners were at labour, that they should not communicate with each other. The noble Earl opposite said there was no prison in the country where the prisoners did not communicate; but, unless they were to be so rigorously shut up in their cells as never to be able to see each other at all, it was impossible to prevent their communicating with each other sometimes. The only thing that could be done was by setting them to work in separate boxes, with the officers of the prison watching over them, to make communication between them as difficult and infrequent as possible. He thought that sufficient provision was not made in many instances for the infliction of hard labour. He was now speaking of county prisons, where criminals were confined for brief periods, and where it was desired to make the imprisonment sharp but short. His own opinion was that the old-fashion instrument, the treadmill, was an exceedingly wholesome engine of punishment; and he might mention that the treadmill really implied hard labour. In the gaol with the management of which he was himself best acquainted, the prisoners were put upon the treadmill, and made to ascend 960 steps in half an hour. If any of their Lordships would only think of what it was to walk up that number of steps in that time, and to continue it, with intervals of ten minutes, for ten hours a day, they would see that it was no misnomer to call that hard labour. It had been said that it was very improper to employ prisoners on labour which was unproductive; but it should be borne in mind that the object of imprisoning these men was not that they should perform productive labour, but to deter from the commission of crime; and if we sacrificed the deterrent principle to the theory that the labour done by criminals should be productive, we altogether mistook the rule by which we should be guided. If it happened that the work could be properly made productive—for instance, in pumping water for the prison—it should be so used; but that incident did not seem to him to be essential. In well-regulated prisons, the best-behaved prisoners were taken from the treadmill and placed upon some industrial employment, and in the event of misconduct they were again sent to the treadmill, because some gradation of punishment was absolutely necessary in order to maintain discipline. Another point which merited great attention was the prison diet. There was no question on which it was more difficult to form a correct opinion. Any one who examined the scale of prison rations could hardly help asking the question why men condemned for criminal offences should receive food which was not only superior to that given to the poor in our workhouses, but far better than the agricultural peasant could earn by honest labour. The answer usually obtained from the medical officers or the directors of prisons was, that it was impossible these men could be kept in health unless they received as nutritious a diet as that now prescribed for them. In the face of that assertion, made on such authority, it was exceedingly difficult for the managers of gaols to lower the rations. Moreover, it was stated that where they had been lowered a great increase of ill-health ensued, and therefore, instead of their being able to enforce the reduced diet, they had to give to prisoners such constant indulgences as broke down proper discipline. At the same time, whilst he thought that the quantity of provisions should be sufficient, when he found that a prisoner had every morning a pint of cocoa with molasses or sugar to sweeten it, he could not help thinking that some kind of gruel, sufficiently nutritious, but not quite so palatable, might be substituted for it. The regulations of the Home Office were, he must say, exceedingly liberal on this head. They prescribed for each prisoner's dinner a pint of soup, so much meat without bone, so much potatoes, with pepper and salt as condiments, and a certain quantity of pease-pudding; the whole forming a kind of mess, which if any one of their Lordships only tasted, they would pronounce to be uncommonly good. Certainly a man sentenced to four months' hard labour could not well complain of his diet. What he might complain of was what a prisoner once complained of to him. Two complaints were made. One was, that he was too much watched; the other was, that he did not think he got his share of the best bits. In his opinion, the complaints showed how excellent was the prison diet, and how little onerous was the prison discipline. He thought the table of diet might be revised so as to make it of a less savoury and agreable kind, but at the same time they must take care that it was sufficiently nutritious to keep the prisoners in health. The general principles of the separate system were sound, but some further power should be given to the Home Office, by means of the Inspectors, to see that the prisons were so constructed and so managed that something like a uniform practice should be enforced If that were done, he believed they would, do all they possibly could for the repression of crime.

Lord WENSLEYDALE thought their Lordships were greatly indebted to the noble Earl opposite (the Earl of Carnarvon) for the very clear, luminous, and satisfactory explanation of the subject which he had given to-night. He thought, for himself, that prisoners were allowed more animal food than was necessary for them. Two years ago he visited one of two gaols in Prussia which were conducted on the model of Pentonville, and he found that each prisoner had 1½ lb. of bread per diem, and only 2 lb. of meat in the course of the year. Meat was given only on four days in the year; and, judging from the appearance of the prisoners, they were, as the physician stated, in perfectly good health.

Lord TRURO said, that one reason why a better diet than would otherwise be allowable was necessary, arose from the circumstance that prisoners on entering prison were deprived of ardent spirits and therefore required an extra amount of food.

The Marquess of SALISBURY said, he believed that most of the facts could be ascertained by a careful inspection of the Reports which had been made to Parliament; and though he advised his noble Friend to accept the offer of a Committee, he did not think it need involve a protracted inquiry, as it would be quite sufficient to examine the Inspectors of Prisons and to refer to their reports. As to dietary, it seemed, from a paper he had in his hands, that in the City of London Union the inmates had 174 ounces of solid food in a week, whilst in the Middlesex House of Correction the allowance was 196 ounces; showing a great difference in favour of the prison, though whether rightly or wrongly he would not then consider. He thought that his noble Friend would do well to accept the offer of the Government to grant a Committee.

Earl CATHCART said, there was a good reason for giving extra diet in prison. The first effect of confinement within four walls was to reduce the amount of vital power; and unless it were immediately made up, the prisoner would fall into a low state, and become liable to serious disease. Surgeons were men of science and intelligence, and in such a case they would say, "Why should I pour my doctor's stuff down the man's throat, when I know that if I order him a basin of broth I shall do him more good?" The visiting justices in his county, at Northallerton, had a long discussion upon hard labour and diet. As soon as he got home, he saw some men digging a drain twenty feet deep. They were turning the soil to a stage, and from the stage to the surface. It was the hardest work they could possible conceive. The lowest man was exceedingly strong and powerful; but if he were put to do the same work in prison, and had only the same diet, he would die. He hoped that a full inquiry would be made into the subject.

The Earl of CARNARVON, in reply, said, he had guarded himself expressly against associating in the relation of cause and effect the increase of crime in the particular year he had referred to with prison discipline. He would accept the offer of the noble Earl for the appointment of a Committee. He hoped some Member of the Government would consent to serve on it, and that he should receive from them all possible assistance. He would move the appointment of the Select Committee to-morrow evening.

The Earl of DUDLEY said, he desired to ask the Government whether they would consent to refuse in all cases of second convictions, involving a sentence of penal servitude, any remission of the time of such sentence. What he wished to see effected was an extension of the recent circular of the Secretary for the Home Department, so that not merely persons who had been sentenced for a second time to penal servitude, being at the time of such such second conviction out on a ticket of leave, but all persons who should be subjected to such a punishment after a previous conviction of any kind, should be debarred from the expectation of a remission of their sentence. He was afraid he should be met by the reply that the matter had been referred to a Royal Commission, but he could not see that that was any reason why the Home Office should refuse to carry further the circular they had recently issued by taking this step. The initiative had been taken by the Home Office; and as, rightly or wrongly, the whole country believed that the state of crime depended very much on the manner in which it administered the law, it was important to ascertain whether the Home Office was inclined to give the country some sort of assurance that it would do everything in its power to put an end to the state of things which had recently excited so much alarm. At present Judges knew that the sentences which they passed would not be carried out, and prisoners were equally aware that they would not actually suffer the punishment to which they had been condemned. He believed that the adoption of such a course as he suggested, by giving greater exactness to our system of legal punishment, would tend considerably to the diminution of crime.

Earl GRANVILLE said, it would be out of the question for the Executive to make further important changes without waiting for the Report of the Commission. To act on the suggestion of the noble Earl would be virtually to abolish tickets of leave.

The Earl of DERBY observed, that the question of the noble Earl (the Earl of Dudley) referred to second convictions.

Earl GRANVILLE said, he was aware of that; but it referred to second convictions, even in cases in which the first sentence had not been one of penal servitude a portion of which had been remitted by ticket of leave. Now, there were very few persons sentenced to penal servitude who had not been previously sentenced for some minor offence. The circular issued by the Home Office to Judges and Chairmen of Quarter Sessions was intended to meet the case of persons who were recommitted after imprisonment under a sentence of penal servitude.

House adjourned at a quarter past
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 19, 1863.

Minutes.]—New Member Sworn.—For Somerset (Western Division), William Henry Powell Gore Langton, esquire.

Resolutions in Committee.—Prince of Wales (Queen's Message) [17th February]; Partnership Law Amendment.

Public Bills. — *First Reading.* — Register of Voters [Bill 25]; Partnership Law Amendment [Bill 26].

Second Reading.—Corrupt Practices at Elections [Bill 8]; Union Relief Aid Act (1862) Continuance [Bill 17]; Telegraphs [Bill 16]; Malt Duty [Bill 20].

Committee. — Births and Deaths Registration (Ireland) [Bill 9]; Qualification for Offices Abolition [Bill 4].

Re-committed. — Illegitimate Children (Ireland) [Bill 13], in respect of Clause 4.

Report. — Illegitimate Children (Ireland) [Bill 13]; Qualification for Offices Abolition [Bill 4].

Considered as amended. — Drainage of Land (Ireland) [Bill 7].

THAMES CONSERVANCY BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Alderman SALOMONS said, he wished to take that occasion to protest against the Bill passing into law in the shape of a private measure, conferring, as it professed to do, such arbitrary and extensive powers on the Thames Conservancy Board. It proposed to interfere with the trade of the river from the Nore to Staines, and to tax certain parties who carried on business on the banks of the river. He thought a measure of that kind ought to be public and not private, and he would therefore move that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Mr. W. WILLIAMS seconded the Motion. The House had the other evening given a check to private legislation by rejecting two measures of a similar nature, and he hoped they would follow the same course on that occasion. The Bill proposed to levy a tax on the inhabitants, and that ought not to be done by such a measure introduced in a private manner. The President of the Board of Trade, or the Government, ought to undertake the supervision of such a Bill, and not leave it in the hands of two private Members.

Mr. NORRIS said, he should support the second reading. The Bill was not a taxing one, but simply for the purpose of enabling the conservators of the Thames to alter the licence tax charged on each journey a boat plied or travelled on the Thames to a tax on the passengers. The Bill was further to enable the conservators to take care of the health of the inhabitants of the metropolis, by preventing bargemen and others emptying filthy matter into the river, and he hoped the house would send it before a Select Committee.

Mr. TITE contended that the Bill ought to be proceeded with, as anything which Captain Birchell and the other conservators of the Thames proposed to do was worthy of the consideration of the House. He thought the Bill was anything but objectionable in principle, and that if enacted into a law, it would tend to prevent the pollution of the river.

MR. LOCKE observed, that he should oppose the second reading, on the ground that the conduct of the conservators was extremely arbitrary and unconstitutional.

MR. CRAWFORD said, he had given great attention to the provisions of the measure, and to the arguments advanced both for and against it, and he had come to the conclusion that it ought to be rejected. His opinion was, that the whole matter of the Thames conservancy, which affected the greatest commercial interèsts of the City of London, ought to be referred to a Select Committee for a full and rigid inquiry. He entreated hon. Members to lend their assistance in throwing out the Bill.

MR. MASSEY said, he was inclined to think that some inquiry was needed into the manner in which the Conservancy Board had discharged their duties; but that was no reason why the House should not give them the powers which they said were essential to the discharge of their functions. He recommended that the Bill should be read a second time.

MR. ALDERMAN SIDNEY said, his objection to the Bill was, that it sought to disturb the compromise which was come to in the year 1857, and referred to matters which ought to be dealt with by a public measure. It proposed to remove the Lord Mayor from the presidency of the Board, and to substitute a paid chairman.

MR. ANGERSTEIN said, he should vote against the Bill on similar grounds.

MR. HENLEY said, he thought the Chairman of Committees had placed the House in some difficulty. The hon. Gentleman seemed to think an inquiry absolutely necessary, and at the same time said that the Bill had nothing to do with the conduct of the Board. Now he (Mr. Henley) thought it had everything to do with the Board, inasmuch as it proposed to give it more powers—he believed more taxing powers. He thought that the inquiry should precede, not follow, the granting of those powers. That appeared to him to be the wiser course.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Mr. Tite

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

METROPOLITAN BRIDGES AND RAILWAYS.—QUESTION.

MR. TITE said, he rose to ask the First Commissioner of Works, Whether it is the intention of Government to institute any inquiry into the nature of the various Railway projects which propose to intersect the Metropolis, or to subject to any control the architectural character and construction of Bridges crossing the River Thames, or the streets and roads which are interfered with?

MR. COWPER in reply said, that some of the great railways which brought travellers into the heart of the metropolis had been carried out at a sacrifice of appearance, and to the great disfigurement of several of our principal thoroughfares. The approach to London Bridge, which used to be handsome, was now intercepted by a huge mass of iron winding above the heads of persons on the level of the roadway, and obscuring St. Saviour's Church. The same disregard of beauty was seen in the bridges recently erected, and especially Lambeth Bridge, which, though doubtless very economical and convenient, was, in his (Mr. Cowper's) opinion, constructed in a manner unnecessarily plain, rude, and ugly. As regarded inquiries by the Government, he would beg to refer the hon. Member to the Report of the Board of Trade, which had been laid on the table of the House. The questions relating to the architectural character and construction of metropolitan works could not be in better hands than in those of the hon. Gentleman himself, whose eminence in his profession, and position as President of the Institute of British Architects, would give great weight to any suggestions which he might make. He also thought it very likely that Members representing the metropolis would be prepared with some proposal on the subject.

ARRANGEMENT OF THE CIRCUITS.

QUESTION.

MR. M'MAHON said, he wished to ask Mr. Attorney General, Whether Her Majesty's Government proposes to bring in, and, if so, when, a measure for re-arranging any other Circuit beside the Northern, and for holding an Assize for civil business in other counties beside Lancashire, and for removing the inconvenience of accumulating country causes for trial in London and Middlesex, and for so arranging the town sittings as not to interfere with Circuits?

THE ATTORNEY GENERAL replied that the state of the Northern Circuit and of other Circuits was under the consideration of Her Majesty's Government, with a view to effect such rearrangement as might seem to be expedient. But, whether a measure on the subject would or would not be introduced into Parliament depended on the nature of the proposed change; for, as his hon. and learned Friend well knew, the powers capable of being exercised by an Order in Council, without the intervention of Parliament, were very extensive. There was no present intention of holding a third Assize for civil business in any county where one was not already held; and there was no such measures in contemplation as was referred to in the last part of the hon. and learned Member's question.

PHŒNIX PARK (DUBLIN).—QUESTION.

SIR EDWARD GROGAN said, he wished to ask the Secretary to the Treasury, If a detailed survey and examination of the Phœnix Park, Dublin, has been made by the Commissioners of Public Works; if any Report as to the condition of the Park has been made by them; and if he will lay such Report upon the table of the House?

MR. PEEL, in reply, said, a Report of the nature referred to by the hon. Member had been received from the Board of Works, and various improvements and new works, such as draining and replanting the Park, had been suggested. Those suggestions had been adopted, and provision for part of the necessary outlay would be made in the Estimates. There was no objection to lay the Report on the table, but the Estimates would contain all the necessary information.

SPIRIT DUTIES.—QUESTION.

MR. STANSFELD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he is at liberty to state the intentions of the Government in reference to the Spirit Duties, and whether any alteration in their amount is contemplated?

THE CHANCELLOR OF THE EXCHEQUER said, the subject to which the hon. Member had alluded was of such importance both to the revenue and to the trade that last year he had departed from the usual practice, by stating the course he intended to adopt with regard to the Spirit Duties at a period when the financial arrangements for the year were not yet under consideration. For the same reasons he was quite willing to reply to the question just put. Her Majesty's Government decidedly did not intend to propose any change in the Spirit Duties now payable by law.

PRINCE OF WALES (QUEEN'S MESSAGE).

Queen's Message [17th February],—*considered* in Committee.

(In the Committee.)

VISCOUNT PALMERSTON: I rise, Sir, to propose to the Committee Resolutions for the purpose of providing, in the words of the Message, "an establishment for the Prince and Princess of Wales suitable to the rank and dignity of their station." In doing so I would remind the House of the happiness which we enjoy by living under a constitutional Monarchy. The people of this country not only are now more than at any former period sensible by positive experience of the blessings which that form of Government confers, but they have also an opportunity of appreciating its value by contrasting it with events which are passing in other parts of the world. We see in the East some of the evils which are incident to arbitrary sway. We witness in the West the widespread misery and desolation which are sometimes created by democratic and Republican institutions. We enjoy a happy medium between the extremes of these two forms of Government. Our institutions not only confer happiness and tranquillity upon the people of these realms, but enable them to enjoy the most perfect freedom of thought, of speech, of writing, and of action, unawed and uncontrolled either by the edicts of despotic authority, or by the Lynch law of an ungovernable mob. Well, Sir, I trust that the people of this nation will long continue to enjoy those advantages, and that their hearts will be turned to the Almighty Dispenser of events with thankfulness—with reverential thankfulness for the lot which has thus been assigned them, and I am persuaded that their bosoms will be full of the most affectionate attachment towards that Sovereign and family under whose mild and beneficent sway, humanly speaking, those blessings have been conferred. Sir, there are occasions in the course of human affairs in which events that are matters of joy and rejoicing produce pleasure that begins and ends with the occasion on which it arises; but there are other occasions where joyful events link and connect the present with the future—when the happiness which mankind enjoys at the moment is an earnest and a security for happiness in the future. Such an occasion is the present, when the Heir Apparent to the Crown is going to contract a marriage which will, I trust, not only be productive of domestic happiness to the family in the midst of which it is to be celebrated, but holds out to this country a prospect of a long line of succeeding Sovereigns, who by virtue of transmitted qualities and of the recollection of the conduct of those who went before them, will imitate the virtues of the stock from which they spring, and will contribute as much as the present family do to the happiness, the welfare, and the dignity of the country over which they rule. Sir, the people of this country have always been disposed readily to give whatever may be necessary to maintain the due dignity which is essential to our monarchical institutions, and I am persuaded that upon the present occasion the proposal which it will be my duty to make will be acceded to with readiness and pleasure by this House, and will be sanctioned by the country. In considering, Sir, that which it may be fitting upon the present occasion to grant to the Crown for the establishment of the Prince and Princess of Wales, it is right to look back a little, and see what has been done upon similar occasions in times gone by. Now, if hon. Gentlemen will look to the speech of Mr. Pitt, when in 1795 he proposed an establishment for the then Prince and Princess of Wales, they will see he stated that the Prince of Wales in 1745, and the Prince of Wales, at an earlier period, in 1715, had each of them a net income of £100,000 a year, in one case in addition to the revenues of the Duchy of Cornwall. It is not quite clear, from the words made use of, whether in both cases that income was in addition to the £100,000. I rather infer that it was. Now, everybody is aware what a great change has taken place in the value of money since either of those remote periods, and how little a sum of the same nominal amount represents in the present day the command of things which it did either in 1745 or 1715. Coming down to a later period, in 1795, when Mr. Pitt proposed and the House assented to an establishment for the then Prince and Princess of Wales, the arrangement was not a simple one, because it was complicated by another for the payment of the large debts at that time due by his Royal Highness the then Prince of Wales. But the total amount of allowance which was granted, including that portion which was set aside for the liquidation of the Prince's debts, was £138,000, charged partly upon the Civil List, and partly upon the Consolidated Fund; and although for a certain number of years the appropriation of a large portion of the amount to the payment of debts reduced the available income of the then Prince of Wales to something, I believe, between £60,000 and £70,000, yet I apprehend that about the year 1806, the debts having been liquidated, the Prince of Wales entered into the receipt of the £138,000. Now, it is not the intention of Her Majesty's Government, nor is it the desire of Her Majesty, that the present appropriation by Parliament should be founded upon what was then proposed for the Prince of Wales. His Royal Highness the Prince of Wales is in the enjoyment of the revenues of the Duchy of Cornwall; and to the honour of Her Majesty and of the late Prince Consort be it said that whereas in former reigns it was understood, and the practice was, that during the minority of the Prince of Wales the revenues of the Duchy of Cornwall were added to the available income of the Crown, in the present reign those revenues have been carefully and studiously set apart to accumulate for the benefit of the Prince of Wales till he came of age. The funds thus accumulated are very considerable—part of them have been invested in the purchase of a landed estate in the county of Norfolk, which cost, I believe, about £220,000, the nominal rental being £7,000 a year —but it may be that there will be deductions, as hon. Gentlemen will well understand, and there may not be more than £5,000 available income. Part of the accumulations must be set aside for the outfit of the Prince of Wales and to form an establishment, and part also will be required for the purpose of building upon the Norfolk estate a mansion more suitable than the present one to the dignity and station of its new occupants. Making these deductions, the details of which I will not trouble the House to go into, the probable income of the Duchy of Cornwall, together with the income arising from the investment I have mentioned, and from the remaining accumulations, may be taken in round numbers at about £60,000 a year. Well, we think that a sum of £100,000 a year would not be disproportionate to those expenses which must fall upon a person in the exalted position of His Royal Highness the Prince of Wales, and I shall therefore have to propose to the House to grant £40,000 a year out of the Consolidated Fund for the establishment of the Prince of Wales. Such of those whom I am now addressing, and who, fortunately for them, are not in the single and bachelor state, well know that there are expenses which the Princess of Wales must incur, and which require that she should have a separate and sufficient income; and by the treaty of marriage recently concluded between Her Majesty and the King of Denmark the allowance undertaken to be secured to Her Royal Highness was £10,000 a year for her own separate use. The grant, therefore, which I shall to-night have to ask the Committee to assent to will be one of £50,000 a year; namely, £40,000 for the aggregate establishment, and £10,000 for the separate use of the Princess.

I should explain that up to the time when the Duchy of Cornwall was managed under the Commission at which the late Prince Consort presided, it was, in former times, the custom of the Duchy to grant long leases, or life leases, at a reduced rent on payment of heavy fines, and these fines formed a material element in the annual income of the Duke of Cornwall. His Royal Highness the Prince of Wales is quite sensible that this is not a proper mode of management, and is willing that an Act should be passed restraining him from granting such leases in future, and directing that the Duchy property should be managed in the usual way in which property is generally managed, not allowing the occupier in possession to take advantage of fines on renewals in granting leases, to the detriment of those who may follow him. I am told by my right hon. Friend (Mr. Gladstone) that such an Act is in actual preparation, and will be without delay submitted to the consideration of the House. Hon. Members will naturally be desirous of becoming acquainted with more ample information than it would be proper for me to detail on the present occasion respecting the condition of the Duchy and the state of its present revenues and prospects. On this subject there is a Report—a very accurate account in detail—which I shall have to lay on the table this evening, and which will be in the hands of hon. Members to-morrow or on the following day. That Report will give the fullest information with respect to all those details of the Duchy which hon. Members may wish to know. There is now only one point which I have to add to what I have already stated. There, of course, must be provision made for a jointure to be given to the Princess of Wales in the event of the Princess surviving her husband. In the case of the Princess of Wales, the wife of George IV., the jointure was fixed at £50,000. We do not propose that in the present instance it should be to so high an amount. We think that £30,000 a year will be a sufficient amount; and therefore, though the allowance to the late Princess of Wales, during the joint lives of herself and her husband, was less than the amount stipulated for the present Princess, yet, putting one thing against the other, though the present allowance is greater, and I think not greater than it ought to be, the jointure will nevertheless be reduced to the amount I have named. I am not aware that I have anything to add to what I have already stated, and I now move the first Resolution.

SIR HENRY WILLOUGHBY said, he considered the proposition of the noble Lord to be moderate and reasonable, except that the information as to the Duchy of Cornwall on which the Vote was founded was not on the table of the House. They were placed in considerable difficulty in dealing with the matter, because the whole question turned upon the condition of the finances of the Duchy of Cornwall. A promise had been made the other night that the fullest information would be given; but, in the absence of that information, they were called upon to agree to a Resolution. It appeared that £700,000 or more had been received from the Duchy in the course of the minority and that during the last twelve years £460,000 had been received as net revenue. He did not object to the allowance of £100,000 a year—that was a fair and reasonable charge, but, he repeated, the Committee was not in a position to form a judgment as to the charge to be made upon the Consolidated Fund until they had seen the accounts. He did not quite agree in the historical account given by the noble Viscount, because he did not believe that Frederick Prince of Wales, in 1737, had £100,000. He believed that the allowance on that occasion was £50,000 a year, and that it was not till some years had elapsed, and His Royal Highness had a family grown up, that he had £100,000 a year.

Mr. W. WILLIAMS said, he was not disposed to object to the proposition; but he trusted, that in addition to the Report promised by the noble Lord, there would be laid before the House a full account of the accumulation of funds effected during the minority.

Mr. AUGUSTUS SMITH said, he thought that the revenues of the Duchy of Cornwall could, by good management, have been made to yield the whole of the required £100,000, without coming on the Consolidated Fund for £40,000. The Committee ought to remember that £16,000 a year had been regularly paid over to the Prince during his minority. Besides which, the nation had voted £20,000 for Marlborough House, £6,000 for stables attached to the house, £17,000 for the Duchy of Cornwall Office, an allowance even for making him a Knight of the Garter, and for the trip to Canada. In fact, there had been a variety of charges during the minority of his Royal Highness, which made the expenses incurred on his behalf by the country not less during that period than £20,000 a year, and there was still an overplus of between £600,000 and £700,000; and he therefore hoped that the Committee would pause before they determined on the proposed addition to his Royal Highness's income out of the Consolidated Fund. With that large sum available, and with the rising revenues of the Duchy, which could not be set down at less than between £40,000 and £50,000 a year, of which £16,000 was paid over regularly from the Consolidated Fund, and therefore without any expense to the Duchy, there ought to be a sufficient income. He was glad to hear that a Bill was to be introduced relating to the Duchy, because the necessity for it was shown by the fact that the expenses of management were about 20 per cent of the income, and that fact showed how expensive it was to provide for the Princes of the Royal family by landed estates. With regard to the dowry of the Princess of Wales, he thought it ought to be charged on the revenues of the Duchy, instead of on the Consolidated Fund. The revenues of the Duchy were so peculiar that he believed, on the death of a Prince of Wales, they would not go to a son, supposing he had one, but would revert to the Crown. It was quite clear that an additional revenue of £60,000 a year to the Sovereign would be altogether waste; and therefore he hoped the Government would consider whether it was not wise and just that the dower of the Princess of Wales should be settled on the revenues of the Duchy. ["Oh, oh!"] He wished to mention one or two other points. Was the Sandringham estate, which had been purchased out of the surplus accumulations of the revenues of the Duchy, to be regarded as the private property of the Prince of Wales, or was it to be settled in such a way that it should hereafter form part of the public estate? He was endeavouring to point out incidents connected with the settlement, so as to prevent the public being unfairly charged with expenditure which ought not to fall upon them. He reserved to himself the privilege of making some suggestions in future.

Mr. DISRAELI: Sir, I was in hopes that the Resolution before us might have been passed unanimously and without debate. But, as it has led to some unexpected, and I must say unnecessary, discussion, I think it my duty to express what I believe is the feeling on this side of the House, and, as I can hardly doubt, of the House generally. We are of opinion that the proposition made by Her Majesty's Government is a temperate and, as we presume, well-considered proposition. We trust that it will be adequate—no one can say that it is excessive. What has struck me as not very reasonable in the observations of the hon. Gentlemen who have spoken is that they have brought forward the good management of the Duchy of Cornwall as a reason why we should not assent to this proposal. It appears to me that we ought to be thankful for the successful administration of the Duchy, and not make it an argument for reduction in the Vote proposed by Her Majesty's Ministers. It is very possible that the Duchy may be even better managed in the future than it has been in the past. It is very probable that the rents and revenues of the Duchy may with time increase in the same manner as the rents of almost every other estate throughout the land. But I do not believe the country is disposed to grudge to His Royal Highness the advantage of such increase. It is not at all impossible, with all his prudence and discretion, His Royal Highness may find the means of applying to a good use any increase that may occur. I hope the Committee will allow the Vote to pass, if not without a dissentient voice, at least without a dissentient Vote. If there are any points of detail in regard to the management of the Duchy on which any hon. Gentleman wishes to be informed and to offer his opinion, an opportunity will be afforded to him during the stages of the Bill which will be introduced to carry this Resolution into effect.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I wish to say on the part of Her Majesty's Government, that we admit the perfect fairness of the claim of the hon. Baronet the Member for Evesham (Sir Henry Willoughby) and others to reserve their own private judgment on the proposition which has been so favourably received by the Committee generally until they have had an opportunity of examining carefully the Report of the Council on the Duchy which my noble Friend is to-night to lay on the table. I fully concur in the spirit of the remarks of the right hon. Gentleman opposite (Mr. Disraeli). I think it is very desirable that the Committee should, as I do not doubt it will in the result, give a cheerful and undivided assent to this proposal. In order to prevent misunderstanding, it is necessary, however, that I should say a word or two of explanation on one or two points of detail. The hon. Baronet the Member for Evesham has impeached the accuracy of my noble Friend's history, and said that Frederick Prince of Wales did not obtain the allowance of £100,000 per annum from the Civil List until a later period than the year named by my noble Friend. The noble Lord named 1745, and it does so happen that his history was in a very minute point open to impeachment, for instead of Frederick Prince of Wales obtaining that allowance later than that year, he obtained it earlier—it was granted in 1743. However, I am more anxious to advert to a point mentioned by the hon. Member for Truro (Mr. Augustus Smith). My hon. Friend holds that the jointure of the Princess of Wales ought to be charged upon the revenues of the Duchy of Cornwall. That might be a point of moment for consideration were we in circumstances in which, while we had a Prince of Wales and a Duke of Cornwall, there was a likelihood of our being without one to follow; but looking to the state of the Royal Family, no such contingency is, happily, to be apprehended; and I conceive, that so long as you have a Prince of Wales and a Duke of Cornwall to provide for, it is immaterial to the public purse whether the jointure is taken out of the revenues of the Duchy in the first instance, which would leave so much more to be provided from the Consolidated Fund, or whether the more simple, and, I am bound to add, the usual course, is taken, and the jointure charged on the Consolidated Fund. It would be well for the Committee to understand that, of course, the moderate sum which has been named by my noble Friend as the jointure for the Princess of Wales, will be a jointure for her own establishment. It is obvious it is not a jointure out of which it would be possible for any Princess of Wales to defray the very considerable expenses which may be connected with the education of children, and which would form a very legitimate subject of reference to this House. My hon Friend the Member for Truro was not entirely just in the observations he made with regard to the charges which, as he said, the Consolidated Fund had already had to bear on account of the Prince of Wales. It is quite true that we paid a large sum of money on account of Marlborough House. We had, however, value received. We had had the use of it for important public purposes, which would otherwise have cost a considerable sum of money during a number of years. We had taken great liberties with it; we had, in homely phrase, pulled it to pieces; and the sum the House voted was intended simply for the purpose of replacing Marlborough House in as good a condition as we had received it. Therefore, we are not in position to say that that sum was voted to the Prince of

Wales. The Vote for the tour in Canada and the United States has been mentioned, but the House will recollect the grounds on which the sum was voted. It was not voted in aid of the personal expenses of the Prince of Wales, but for the purpose of curtailing the expenditure which was undertaken by the Prince of Wales, while a minor, on behalf of her Majesty, and for purposes strictly political; and I may venture to say, whether we regard the journey in Canada or in the United States, and the reception the Prince there met with, it was money well laid out, and it forms no part whatever of the question the Committee has to consider on the proposition of my noble Friend. One other point, with still less justice, was referred to. It was said that the Prince of Wales receives £16,000 a year from the Consolidated Fund. No doubt he does; but what is the History of it. It is a composition in lieu of revenues of which the Prince of Wales would otherwise have been in receipt as the Duke of Cornwall. There were certain tin duties which were deemed inconvenient and oppressive; his right to them was as unquestionable as if they constituted a landed estate. It was thought expedient for the public interest, with a view to the extension of commerce, and especially with a view to the benefit of that part of the country which my hon. Friend represents, that those duties should be abolished; and the Prince of Wales receive compensation, exactly as any other proprietor would have received it. If so, it is perfectly obvious a consideration of that kind cannot possible enter into this discussion, because, to the full extent—nay, possibly to a greater extent, if that arrangement had not been made—he would have been receiving money on account of the tin duties to which he was entitled as the Duke of Cornwall. I am desirous of obviating the misapprehension that would prevail if it were supposed that that was a Vote in addition to the charge on the Consolidated Fund, whereas there is no foundation in fact for such a supposition.

Sir JOHN TRELAWNY said, he was surprised at the ignorance which prevailed on the Treasury bench with respect to some of the most important facts connected with the Duchy of Cornwall. The right hon. Gentleman the Chancellor of the Exchequer, for example, seemed not to know what would become of the revenues of the Duchy on the death of the Prince of Wales. He recollected on a former occasion, when a settlement was made on the Princess Royal, assuring the Prime Minister that, according to the peculiar tenure of the Duchy, on the death of the eldest son of the Sovereign the property would revert to the Crown. On that occasion it was maintained that he was wrong, but it afterwards turned out that he was right, though no one in the House was aware of the fact he had stated except himself and his hon. Friend (Mr. Augustus Smith). But the point to which he wished to call attention was a passage in a celebrated speech delivered by Burke on economical Reform. Towards the end of that speech Burke proposed that the Duchies of Cornwall and Lancaster should be sold, and the proceeds handed over to the public exchequer. His object, no doubt, was to make the Crown dependent solely upon votes of Parliament for any sums of money it might require. The proposal of Mr. Burke might be carried out with advantage. There was plenty of room for improvement in the management of the Duchy property, which was spread over about ten or eleven counties. If the property were judiciously sold, the sales taking place at the right time, very large sums would be secured, and it would not be necessary for those who were in office, backed by those who expected to be in, to come forward with a proposal which would not be approved by the public out of doors. [*Cries of* No, no!] There was a time when the Conservatives were bold enough to propose the reduction of a grant of this sort, and he was sorry that hon. Gentlemen opposite were so ready to acquiesce in the present proposal, not allowing the public feeling to have any weight with them. He joined issue with the right hon. Gentleman the Chancellor of the Exchequer upon another point—namely, that the duties formerly payable on tin in Cornwall could fairly be regarded as the property of the Duchy. If the Chancellor of the Exchequer had been in office when those duties were abolished, he would doubtless have said, "I am a Free-trader; I do not like duties on commodities; the tin duties in Cornwall ought to be abolished, because they are part of a bad system;" and, if consistent in his principles, he would have refused to give a charge of £16,000 upon the Consolidated Fund in lieu of them. But the right hon. Gentlemen now twitted Cornishmen as if they alone had benefited by the abolition of the tin duties, forgetting his own doctrine that such taxes were paid by the consumers as well as by the producers. It was not his intention, however, to throw an apple of discord into the Committee on that occasion, and therefore he would not further oppose the Resolutions proposed by the noble Lord the First Minister, but he could not help expressing his regret that more attention had not been paid to the feelings and wishes of the public out of doors.

Mr. KENDALL said, that in former times there was a very onerous local tax which crushed the tinners of Cornwall, but upon their application to Parliament a compromise was made, by which the £16,000 was charged on the Consolidated Fund, and while Cornwall was relieved, the public generally were also benefited. Such being the case, he very much regretted that any Cornishman should have spoken against an arrangement for which the county felt deeply grateful.

Mr. E. P. BOUVERIE observed that his hon. Friend was somewhat unreasonable in complaining that the advice of Mr. Burke had not been taken. If that advice had been acted on in 1778, and the Duchies of Cornwall and Lancaster sold, Parliament would now have been called upon to provide the full amount of revenue which by common consent was necessary to maintain the dignity and station of the Prince of Wales. What was the case with respect to the Duchy of Cornwall? In the days of Burke the whole of the revenue was eaten up by those fastened upon the Duchy. He had been informed by a noble Lord, who had taken an active part in the management of the Duchy, that when the Council commenced their labours at the beginning of the present reign the net rental was no more than £12,000 a year, and that the expenses of management amounted to something like the same sum. By dint of good management, which formed another item in the debt of gratitude due to the memory of the Prince Consort, the income of the Duchy had been raised to £50,000 per annum, while the cost of management did not exceed between £7,000 and £8,000. That, he thought, was a sufficient reason why they ought to be glad that the advice of Mr. Burke was not followed by the Government of the day. But he had risen mainly to say that he totally disagreed with the statement made by the hon. Member for Tavistock (Sir John Trelawny), that the public would grudge the Vote before the Committee. His impression was, on the contrary, that they would feel a sensation of agreeable surprise at the moderation of the proposal made by the Government. From what he had heard in conversation, he believed that the general opinion out of doors was that a much larger proposition would have been submitted to the House. The public, too, would rejoice at the intimation, voluntarily given, that for the future the income of the Duchy was not to be anticipated by grants of leases for life. If that power had been retained, the managers of the Duchy would have had the means of raising a very large sum of money, ultimately at the expense of the country, and he was persuaded that the announcement of the noble Lord at the head of the Government would give great satisfaction to the public at large.

Mr. AYRTON said, he wished to ask if the accumulations were to be regarded as the private property of the Prince, or whether they were to be treated as the property of the Duchy.

The CHANCELLOR of the EXCHEQUER stated that the accumulations having been made out of income which was legally the property of the Duchy of Cornwall, were of course to be regarded as belonging to the Prince of Wales, but their amount had been taken into view by the Government in considering the Vote before the Committee.

1. *Resolved, Nemine Contradicente,*

That the annual sum of £40,000 be granted to Her Majesty, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, towards providing for the Establishment of His Royal Highness the Prince of Wales and Her Royal Highness the Princess Alexandra of Denmark, to commence from the Day of the Marriage of their Royal Highnesses.

2. *Resolved, Nemine Contradicente,*

That the annual sum of £10,000 be granted to Her Majesty out of the said Consolidated Fund, to be paid quarterly to Her Royal Highness Princess Alexandra, for Her sole and separate use, during the period of their Royal Highnesses' Marriage.

3. *Resolved, Nemine Contradicente,*

That Her Majesty be enabled to secure to Her Royal Highness the Princess Alexandra, in case she shall survive His Royal Highness the Prince of Wales, an annual sum not exceeding £30,000 during Her life, to support Her Royal Dignity.

Resolutions to be reported *To-morrow.*

CORRUPT PRACTICES AT ELECTIONS BILL—[BILL 8.]—SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. H. BERKELEY said, he rose to move that the Bill be read a second time that day six months. He was induced to do so from the consideration that it was not a measure calculated to present a specimen of an electoral law worthy of the country. He was perfectly well aware that he might subject himself to certain taunts from his right hon. Friend below him, that he could not see any perfection in any measure except that particular measure which he had often brought before the attention of this House; but he could assure his right hon. Friend, that if he would produce any measure that should be effective in putting down the corruption of the electoral system, whatever that measure might be, he would throw aside all his preconceived opinions, and lend him his warmest co-operation. Now, the Bill (for he supposed it was in the form of a Bill) had been an Act of Parliament ever since the Earl of Aberdeen's administration. At that time there was an election, which was so corrupt that the Earl of Aberdeen expressed the opinion that our electoral system was such that nobody could well be enamoured of it. So flagrant were the acts committed during that election, which was a fierce contest between the parties on each side of this House, that it was thought necessary to do something, or to pretend to do something, to abate the evil. A Committee of that House was formed, consisting of a great many lawyers, and on their recommendation the Government of the day formed this Act of Parliament. Since that time it had been our electoral law. It had been tried; it had been weighed in the balance and found wanting; it was now found not only perfectly useless, but it was literally the laughing-stock of every attorney's clerk. This Bill was now in the hands of his right hon. Friend. The objections he had to it might be concisely stated. In the first place, he objected to its principle, which was to punish the elector, and not the candidate. It was in every way to protect the candidate, and to such an extent was that carried that with common care and attention any candidate's seat, do what he might, except personally or through one agent, was perfectly safe. Now, in the first place, her Majesty's Government thought proper to alter the law of agency, and by it nowadays the candidate was ordered to name his agent or agents, by whose acts he must stand or fall. To illustrate his meaning, he would suppose that Brown was named the agent. That being so, all that Brown would have to do would be to keep his hands clean and to take care that through him directly the candidate was drawn into no illegal proceeding. Meantime, however, Jones and Robinson, not being agents in the sense laid down in the Bill, might do as they pleased, and the candidate would not be held responsible for their acts. When the measure containing a provision which so operated had first been proposed, an analysis of it, to which were affixed the initials of the late Mr. James Coppock—than whom no man was better versed in election law—appeared in *The Times* newspaper, and his expression in relation to the clause was, "When the House of Commons passes it, the country will know what to believe;" while the journal in which the analysis was published summed up its estimate of the Bill with the words, "It is evident this is one of those pompous professions which are meant to be inoperative." Nothing could, in his opinion, be more just than that view, and what, he would ask, was the sugar-plum which induced the House of Commons to swallow so noxious a dose? It was the curtailment of the election expenses, the doing away with bands and other causes of outlay, in lieu of which the candidate might, by good management, indulge in illegal expenditure at discretion without running any risk. Such was the way in which the Bill dealt with the question of agency, but how did it provide against corruption generally and intimidation? Everybody knew that one of the most effectual modes of corruption was treating, and that the most successful mode of treating was the giving breakfasts to the electors on the morning of the day on which the poll was to take place. A stranger, for example, in company with some person well known in the locality, went into the house of a licensed victualler—he was speaking on the evidence of facts which had come within his own knowledge—in the town in which the election was to be held, and said to him, "I want forty breakfasts at seven o'clock on the election morning." The innkeeper, pulling off his hat, replied, "Certainly, Sir; the breakfasts shall be provided." The breakfasts were provided; they were duly eaten by a corresponding number of electors at the appointed hour, who went to the poll early, and thus opened the proceedings with an *éclat* which had its effect throughout the day; while if those breakfasts were not given to them, they would get breakfast at their own homes, would probably continue at work during the first half of the day, and then go to the poll after dinner. But the men who were breakfasted had another advantage. Their employers in the factory or the shipyards, or the overlookers, told them, "There is an election to-morrow," and they were excused the whole day; but their wages were paid. Now, was that bribery, or was it not? And they did not interfere with it by the Bill. Thus they went on, blindly satisfying themselves with ineffective legislation, and imagining that everybody else was satisfied. So much, then, for the law of agency and the way in which they abandoned corruption to take care of itself. Let them look now at what they had done with intimidation—a subject on which there was no division of opinion that it was the great evil of our electoral system. He knew that hon. Gentlemen who did not think proper to go with much minuteness into the question considered intimidation a part of the due influence of property. He was unable to consider it in that light, but rather as connected with the undue influence of property. Well, what did they propose to do on that subject by the Bill? They had proposed a wretched clause by which they said they would fine any individual who should affect with loss a man for giving his vote. Thus, if they took their custom away from the butcher, or baker, or turned a tenant out of his house, the aggrieved party might recover a penalty; but the recovery of the penalty was dependent upon the specific offence of the customer or the landlord making the giving of the vote the reason why he so acted. Could anything be more ridiculous? To show, indeed, how easily the provision could be evaded, it was sufficient to refer to what occurred after the late election for East Kent, when a landlord gave a tenant notice to quit, but added, "Take notice that it is not because you voted against my wishes at the election." That was, indeed, a state of things upon which, as was said by the late Sir Robert Peel and Lord Macaulay, they could not legislate. They could not legislate against a man for discharging or getting rid of his tradesman or of his tenant; and if they attempted to do it, they would be guilty of injustice. The Bill, then, would do nothing with regard to intimidation; and he thought, as the Government were pleased to reject the measure which he particularly advocated, and which he believed would be effective, they were bound to give the country a Bill that would at least palliate the evils of the present system. The last clause, by which the auditor was done away with, might be beneficial, but the Bill was so rotten and so bad that he had thought it necessary to call it to the attention of the House. It was not his intention, however, to ask for a division upon his Motion, but he had done his duty in bringing it forward, and he told the Government that under cover of this Act of Parliament at the next election, whenever that election should come, the richest party would win.

MR. M'MAHON complained that the Bill repealed parts of several Acts of Parliament, leaving only one or two sections or half sections in force, and suggested that it would be desirable in Committee so to alter the clauses as to repeal the entire Acts, and re-enact in the Bill those provisions which it was thought desirable to retain in force, and thus consolidate the Law into one general statute.

LORD HENLEY expressed his approval of the Bill generally. The auditorship, so called, had been a farce, and he was glad that it was abolished. He considered, however, that the provision that paid agents should not vote at elections was too stringent, and would produce greater evils than arose from the existing system. As it was necessary in contested elections to poll as many votes as possible, each candidate would have either to bring his attorneys, messengers, and doorkeepers from some other town, or to employ the relations only of voters, themselves having no votes, or else to give notice to all his agents that he would not pay them, and leave it to be understood that if elected he would exert his patronage to obtain places for them.

MR. BENTINCK said, he could not but venture to think that the annual discussion upon bribery and intimidation was neither more nor less than an annual farce. It was very much like the annual discussions which took place upon the Motion of the hon. Member for Bristol in reference to the ballot. The fact was, it led to no good result. The difficulty arose from the fact that neither in or out of the House was there any feeling that the act of bribery involved any moral culpability. That was the secret of the whole thing. The speeches on these occasions were very much like platform speeches, which in almost all cases had no meaning in them. The hon. Member for Bristol's great objection seemed to be that the candidate would escape detection and punishment, but the electors would not. And he said that it was perfectly impossible for the House to put an end to bribery and intimidation. The noble Lord the Member for Northampton gave the House to understand that in a contested election where matters were run hard everything was fair. After such expressions of opinion from two Liberal Members, was he overstating the case in maintaining that legislation such as the present was altogether a farce? It appeared to him that there was another view of the subject, which was always omitted upon these occasions. It was an old principle that charity ought to begin at home. Now, without entering upon a discussion whether that was a sound moral principle or not, he would ask the House to let justice begin at home? And how had the House proceeded in this matter? It appeared that a person keeping a post-office, with a wretched salary of £4 a year, was not allowed to vote, from a belief that some imaginary temptations to corruption were thereby guarded against. What must be the feeling of those men when they saw noble Lords and hon. Gentlemen in receipt of as many thousands as they had pounds giving votes in direct opposition to their public pledges? Was that justice? Was it a fair way of dealing with the people of this country? The whole proceeding was monstrous. A messenger rendered services for the remuneration which he received, and yet he, too, was to be precluded from voting, though gentlemen in the enjoyment of large pensions, and whose services it would be hard to define, were freely allowed to sit in that House and vote. A stronger case than any he had previously mentioned was afforded by the "testimonials" which hon. Members were allowed to receive. The gifts dignified by that name were neither more nor less than money paid for the price of a particular vote, and the Member receiving them was unmistakably bound to continue to vote in the same spirit. As long as such a system was upheld, they were bound in consistency to allow voters to receive every shilling they possibly could for their vote.

MR. POWELL said, he rose to express his regret, that while he could not support the Motion of which the hon. Member for Bristol had given notice, he could only give the second reading of the Bill a qualified support. He did not desire the Bill to be rejected, because (the measure being a continuation Bill) the country would thereby be deprived of some useful provisions which it contained. The Bill was, however, defective both in form and substance, and contained some clauses which were unnecessarily harsh, and to which he decidedly objected. The Bill was decidedly inferior to the measure introduced last Session by the right hon. Gentleman. That was to some extent a Consolidation Act, and as such very desirable, but the Bill before the House would merely add one more to the sixty or seventy Acts of Parliament to be found in the statute-book professing to regulate the election of Members of Parliament. That was a great evil in itself. If it were for the benefit of all classes that the law on the subject should be well defined and easily ascertained, it must be especially so in the case of Acts regulating the exercise of the franchise by great masses of the people. Now, however, if an elector wished to learn the obligations imposed upon him by the Legislature, he was bound to commence with the reign of Edward I., and to continue his examination of the statute-book down, and including the various Acts passed in the present reign. The right hon. Gentleman doubtless hoped, by avoiding the question of consolidation in the present Bill, to escape the innumerable Amendments which clustered round the measure of last year. But that was not a mode in which the Government or the House ought to legislate on topics so deeply affecting the people. It was rather a mockery of legislation, and he therefore hoped the present was merely intended to operate as a temporary arrangement, until the advisers of the Government had time to frame a Consolidation Act. There were also grave omissions from the Bill. It legislated at the wrong end, for, containing as it did very stringent provisions with regard to offending electors and constituencies, it failed to touch the root of the evil. If constituencies were corrupt, who corrupted them? If electors were bribed, who found the money? The candidates in truth; and among those candidates some, of course, were returned to that House. Before the Committee which sat on this subject two years ago several suggestions and propositions for meeting that difficulty were made, but the right hon. Gentleman had not adopted any of these; he contented himself with proposing what had hitherto been found inoperative in practice. But his objections were not limited to the omissions from the Bill. To one proposition introduced into the Bill he decidedly objected, representing as he did a constituency which had suffered by anticipation from the effect of such a clause. It would be in the recollection of the House that after the last general election commissions of inquiry appointed to examine into corrupt practices at Wakefield and Gloucester reported that at Gloucester, with a population of 17,000 and a constituency of 1,700, there were between 300 and 400 corrupt electors; and that at Wakefield, with 950 electors, there were 250 corrupt voters. The House on that occasion adopted a course which, speaking with the greatest humility, he ventured to think was unconstitutional. Of its own mere motion, without intending or professing to legislate, it took on itself to suspend the issue of the writs in both those boroughs, thereby confounding the corrupt with the incorrupt and punishing the innocent with the guilty. After an interval of two years the House, as indiscriminate in its mercy as in its severity, allowed the writs to issue once more, without restriction or legislation, although it knew the name of every person guilty of corruption in either place. It was contrary to every principle of justice to disfranchise the guilty and the innocent alike. There was not the least necessity for it. The commissions upon the Gloucester and Bristol elections were to all intents and purposes judicial inquiries; they were presided over by men of a great deal of judicial experience, and were armed by statute with great powers. They were, in fact, actual trials of the guilt of the persons who were brought before them; and if the Commissioners reported that certain persons were guilty of corrupt practices, and certain others were not, what justice could there be in disfranchising the whole constituency; and thus involving the innocent in the punishment of the guilty? The Commissioners reported that at Gloucester there were a number of gentlemen who had for many years associated themselves together for the express purpose of insuring purity of election, and that they had been sometimes successful, as for instance in 1852, when they brought about a perfectly pure and free election. But because those gentlemen had not always succeeded, and because in a large constituency a comparatively small number of persons were corrupt, those gentlemen who had so greatly exerted themselves to secure purity of election would, nevertheless, be disfranchised by the Bill. That was a grave matter, and he ventured to say that a Bill with such a clause in it would prove inoperative, for the reason that all would be desirous of evading the law. He believed that a more futile measure had never been presented to the House of Commons. The fact was, they were taking too much trouble with the subject, and were seeking by a complex machinery to do that which might be done by a very simple process, which was to excise from the register and disfranchise inexorably not only every one who took, but every one who gave a bribe. With the view of providing for such a course of proceeding, he would propose Amendments in Committee.

MR. PHILLIPS said, he thought that much might be done to mitigate bribery, and that every one's experience would satisfy him that the expenses of elections were a great deal heavier before the Corrupt Practices Act than they had been since. Sums were formerly spent on elections to which recent times afforded no parallel. Absolute extirpation of the evil it was impossible to effect, but they ought not to rest under the reproach of not attempting to do what they could. The House would act imprudently if it would not give a second reading to the Bill, and its defects might be amended in Committee. There was this check upon bribery, that every one who practised it extensively fined himself. In many cases candidates had gone down to boroughs with the *bonâ fide* intention of paying no money unduly, and yet they were made responsible by persons over whom they had no control. It was therefore found necessary to provide a check for this practice. He agreed with the hon. and learned Member (Mr. Powell), that the proper remedy for bribery was disfranchisement. On the other hand, the House ought not to confound the innocent with the guilty, for if any severe penal enactments were attempted, the Bill would fail. He trusted that the Bill would be read a second time.

Mr. Serjeant PIGOTT said, that having much considered the subject, and having heard a great deal of evidence on corrupt practices, he was convinced that the clauses of the Bill would have a very valuable effect in repressing corrupt practices. He did not agree with those who objected to the second clause, which was designed to stop up a very extensive source of corruption—namely, the employment in the business of the election of a number of persons whose services were required only for the purpose of securing their votes. The second clause was, in his opinion, the most valuable in the Bill. The tenth clause was also valuable, for nothing could be more futile than a pretence on the part of the Legislature to discourage bribery and intimidation, and yet to employ a machinery so cumbrous that in not more than one case in a hundred could the law be carried out. He did not concur with the hon. Member for Gloucester that there was injustice in suspending the writs of places guilty of corrupt practices. It was an ancient and equitable principle to hold a community infected by any crime responsible, and that, it was well known, was done in the case of the hundreds. Thus it would be the interest of the leaders of parties to prevent corruption becoming extensive and systematic. He was of opinion that the Bill had some very valuable provisions, and that the House would do well to read it a second time.

Lord ROBERT MONTAGU said, he thought the Bill was not likely to be valuable to any but the Government; who, having lost the name of reformers by abandoning reform, were desirous of doing something to win the name back again. There were many forms of bribery which the measure in no way touched. He would explain a very common form of bribery, by reference to an actual occurrence. When a Gentleman now representing a county in that House had stood for it, all persons, except one gentleman, had thought he had no chance of being returned. That one person said that the hon. Gentleman would be returned, and stated the majority by which he would gain the election. He was returned by a majority within two of the number named. Upon the individual who prophesied the result being asked how he had been able to predict it so accurately, he said that he held the maxim that politics had nothing whatsoever to do with an election; and he merely considered in which way it would be for the interest of persons to vote; that attorneys gave as many mortgages as possible to the surrounding farmers. It was then the interest of the candidate to retain the attorney for the sake of those over whom he had a hold. The attorney received his daily fee, and accompanied the candidate. If the voter was recalcitrant, the attorney said he was in want of money, and must call in the mortgage; and as a renewal of the mortgage would put the farmer to a great expense, the attorney was sure to be bought off by a promise of the vote. This sort of influence was not touched by the Bill. There were many other modes of bribery not touched by the measure. He would, for example, refer to the influence of Lords Lieutenant of counties. A person had been elected as captain in a volunteer corps, and had applied to the Lord Lieutenant of the County of Kent, the present Lord Chamberlain of the Household, to give him the nomination. The Lord Lieutenant, he had been informed, refused, observing that the person in question was a mere costermonger, for he had twice been chairman of the election committee of the hon. and gallant Baronet the Member for Chatham. This person afterwards became High Constable of Chatham, and gave a grand dinner to a noble Lord, an eminent Minister of that House, who was brother-in-law to the Lord Lieutenant. After which, the commission so much sought by the person in question was very soon granted. Then, again, a Minister might barter his patronage for votes, and squander the interests of the country in order to benefit a faction. If the Minister were of a cool and cautious temperament, a significant gesture, or a whisper over the shoulder, might be quite sufficient to obtain the desired object; or the Minister might be of a more jovial turn of mind—might love hilarity and good cheer, and become most liberal with his patronage when his cheek was flushed with wine, and his heart was warmed by unwonted fire, and his tongue loosed with unaccustomed eloquence. He would mention a fact that had occurred on October 29, at Chatham. As it concerned the noble Lord the Secretary for the Admiralty, he had given him notice of his intention to refer to it. The noble Lord went down to Chatham when every one thought a general election was impending, and took with him his brother-in-law, Mr. Otway. Mr. Otway had been rejected by Tynemouth, Stafford, and Chatham, and was again likely to become a candidate for Chatham. At the public dinner the noble Lord made a speech. The noble Lord commenced by apologizing for his appearing there at all; representing, as he did, "another part of the county, the different constituencies of which were like families, somewhat jealous of each other;" for he had not yet visited his own constituency, when he went to Chatham to canvass for Otway. He then went on to say, he might be asked why he had come to Chatham. Now, that was a pertinent question. But the noble Lord himself had answered the query by saying "he went in obedience to superior orders; he had heard a voice saying, 'Paget, you are wanted at Chatham.'" Now, that voice could be no other than that of the noble Viscount at the head of the Government; no one would have ventured to make such large promises as the noble Lord made, without the noble Viscount's authority. The noble Secretary of the Admiralty, however, went on to tell his hearers that "Chatham was about to become one of the most important naval stations in the kingdom." Now, that was a proposition involving probably the expenditure of millions, and of course met with "loud cheers" from the electors of Chatham. The noble Secretary then told them that Chatham was "about to possess the most magnificent arsenal that England, or, in fact, all the world, had ever possessed;" that "the basin accommodation of Chatham would surpass the whole of the boasted basin accommodation of France put together." This was, no doubt, a very good way of conciliating the electors of Chatham, but was not calculated to win the favour of the taxpayers of England. It was for the House to say whether these great works were to be constructed, and those large sums expended. It was not for the noble Secretary to make promises in our name, which we were only to ratify and fulfil. The House was not to be let into the secret of its future conduct by a speech of a Secretary to an after-dinner audience in a dockyard; as if the House were unworthy to be more than that Minister's instrument. But the noble Secretary went somewhat further than that, by telling his audience, the electors of Chatham, that they had no fear of France, for that England "was never in a better position to enter into war nor with a navy in a more efficient state." That speech was certainly not complimentary to the French; nay, it was insulting to them. Although, indeed, the braggadocio may have been in reality directed, not to the conquest of France, but to the corruption of Chatham. Or if it were said in excuse that this speech was merely an after-dinner indiscretion, then it was another instance of what was so common last year—namely, "ministerial mudlarking." After those lugubrious civilities had passed at Chatham, the noble Lord returned to London with his brother-in-law by a special train. Now he (Lord Robert Montagu) should like to know how that train was paid for? Perhaps that transaction was quietly managed by a draw upon the civil contingencies? or, seeing that it was after dinner and wine, was it paid by a vote in excess? He mentioned those facts for the purpose of showing one way by which a Minister might bribe the electors without being restrained by the proposed Bill. Some just remarks had been made in regard to intimidation. He gathered from the public prints that the noble Duke at the head of the Admiralty was accused of having intimidated some of the electors of Totnes into voting for the man of his choice. He had been informed that the noble Duke had issued a threat to turn the electors out of their holdings and deprive them of their cowsheds. He also saw in the leading journal an extract from a local paper stating that "Mr. J. Pender had placed the magnificent sum of £1,000 at the disposal of a committee in order to be applied to the general welfare of the inhabitants of Totnes." But that "the gift had not been promulgated because the election was going on," but the writer of the paragraph said "he saw no reason why it should any longer be kept a secret." Such were the acts of Liberal Members. It was only the name of "Reformers" which screened them from the ire of the people. He put it to the House to say whether the Bill would, in the least, restrain bribery and corruption from being practised in the three or four modes he had pointed not; and whether the sole object of the Government in bringing it forward was not to recover for themselves an empty reputation as Reformers? For any other end he thought the Bill would be wholly inoperative.

Sir FRANCIS GOLDSMID said, he should support the second reading, because he believed the Bill would effect an important amendment of the law, while he thought that its rejection would have the effect of throwing the whole law in respect to bribery into confusion.

Mr. PACKE said, no person was more opposed to bribery than himself. He would, therefore, cordially support the second reading of the Bill. There was, however, one clause very comprehensive indeed, inasmuch as it took within its provisions every agent, attorney, poll-clerk, messenger, and other person employed at elections. It should, however, be recollected that there were many persons employed at elections who were not interested for either of the candidates. It ought to be carefully considered whether those parties, however neutral, ought to be included in the general charge. He totally disagreed with the hon. and learned Member for Gloucester (Mr. Powell) as to the operation of the 11th clause. He thought that that clause conveyed a wholesome warning to constituents against bribery. But there was another class of persons who sinned in a different way. He was concerned some years ago in the investigation of a serious riot, arising from the circumstance that voters had been prevented going to poll in consequence of the crowds of non-electors that assembled round the doors of public-houses, which were kept open during the whole time in close proximity to the polling-places. He thought much mischief might be prevented by requiring those public places to be kept closed during the days of nomination and voting.

Sir GEORGE GREY:—As the hon. Member for Bristol (Mr. H. Berkeley) has waived his objection to the second reading of the Bill, it will only be necessary for me to advert to some of the objections made to particular clauses. I readily admit that the Bill will not put a complete and effectual stop to all corrupt practices at elections. I am not presumptuous enough to suppose that I could frame a measure which would achieve that result. As long as human nature remains as it is, as long as there are objects of ambition to be sought after, and persons willing to accept bribes, it will be impossible for any law entirely to prevent corruption. All that can be done is to render bribery as difficult as possible, the detection of bribery as easy as possible, and the punishment of offenders as certain as possible. The noble Lord opposite, who professes to be conversant with all the arts of bribery and corruption, practised in county elections, said he would undertake to evade the Bill in fifty different ways. That may be quite possible; but although we cannot do everything by legislation, that is no reason why we should not attempt to do anything. I do not claim credit for any originality in this measure. It is based on the Resolutions of the Committee of the House which considered and reported upon the Acts in operation some three years ago. A complaint has been made by the hon. and learned Member for Gloucester (Mr. Powell) that the Bill is directed rather against electors than candidates; but in that respect it has followed the recommendations of the Committee, and I think he has not drawn the distinction between those recommendations and proposals that were made and rejected. An hon. Member made a proposal in the Committee, to require a declaration from Candidates, but it was not pressed to a vote. With respect to the clause disqualifying agents, I have to observe that it was contained in a former Act, and evidence was given before the Committee that its omission from the last Act has led to a great deal of bribery. Since the Bill has been printed I have received letters testifying to the importance of the clause, and stating that large numbers of electors have been employed in some places as messengers or in some such capacity to influence their votes. The hon. Member for West Norfolk (Mr. Bentinck) has complained that we have disfranchised country postmasters who may not receive more than £4 a year from the State, while leaving in possession of their votes persons in receipt of fixed incomes from the public revenue. I do not propose any change in the law with regard to the holders of post-offices. Their exclusion is part of the existing law which was in force in the last century, which prohibits all persons engaged in the collection of public revenue from voting for Members of Parliament. It is obvious, on the other hand, that retired officers and others in receipt of fixed incomes not held at the pleasure of the Crown may be quite as independent as any other persons in the country. There is no analogy between them and those employed in the collection of revenue. I agree with the hon. and learned Member for Reading (Mr. Serjeant Pigott) as to the clause which provides a new mode of dealing with the reports of Commissions of Inquiry, when those Commissions report that extensive bribery has prevailed in certain constituencies. I also agree with the hon. and learned Member for Gloucester (Mr. Powell) that the course pursued by the House as to the writs for Wakefield and Gloucester was open to objection. For this House, without the authority of law, to continue the suspension of writs for any considerable period, is a course which I think should not be encouraged. What is now proposed is that the House should be empowered by law to suspend writs for a limited period in cases where corruption, though not universal, is general and extensive. I believe such a provision, if enacted, would create a general desire in a borough to prevent bribery and corruption, and would induce persons of influence, instead of looking on such practices with indifference, to exert themselves to put down all illegal practices. Some proof of this is efforded by the fact that no complaint of bribery or corruption has been made with regard to the last elections for Gloucester and Wakefield. The hon. and learned Member for Wexford (Mr. M'Mahon) said, that in amending any Act we should take the opportunity to consolidate the whole law on the subject. An attempt of that kind was made last Session; but, as has been already said, a number of Amendments clustered round every clause, and I believe it would be found impossible within any reasonable time to pass such a measure through the House. I have, therefore, thought it better to make this Bill more moderate in its pretensions, embodying in it the main provisions recommended by the Select Committee. I am glad to find that the Motion for the second reading meets with the general assent of the House, and I trust that when we go into Committee the Amendments will be discussed with an earnest desire to make the law as effective as possible.

MR. BENTINCK said, he had not objected to the officers on half-pay having votes; but what he said was, that so long as Members of that House, receiving large salaries and pensions, had votes in that House, it was a hard measure to prevent a post-office *employé* in a country town from exercising his right of voting.

MR. BRADY said, he had consistently opposed the Bills which had been introduced on the subject, as he did not believe that the House was honest in its desire to put down bribery. If it were, it would punish, not the offending electors, but those who bribed them.

MR. DARBY GRIFFITH maintained that all illegal payments should be made bribery, and punished accordingly. He announced his intention to propose some Amendments in Committee.

Bill read 2°, and *committed* for Thursday next.

UNION RELIEF AID ACT (1862) CONTINUANCE BILL.

[BILL 17.] SECOND READING.

MR. C. P. VILLIERS said, he rose to move the second reading of the Bill. The policy of the Act which this Bill sought to continue had been discussed a few nights since, when several suggestions, as the House would remember, were made by hon. Members well entitled to speak upon the subject. Their observations were not opposed to the principle or the purpose of the Bill, but were chiefly intended to render legislation upon it more complete. He had promised, at the time, that the suggestions then made should receive the fullest attention of the Government, and that he would take an early opportunity of stating the course it was intended to pursue. As time was pressing, the Act expiring on the 1st of March, it would perhaps be convenient that he should then state what it was proposed to do. The first suggestion was made by the noble Lord the Member for Kings Lynn (Lord Stanley), who, founding his opinion upon what he considered was their imperfect experience of this Act, and the uncertain character of the circumstances that had led to its necessity, recommended that the period of its continuance provided for in the Bill should be shortened. That suggestion was supported by his hon. Friend the Member for Rochdale (Mr. Cobden), and others, including the hon. Member for North Lancashire, who were of opinion that the whole subject should receive a more deliberate consideration during the present Session. Since then he had had many communications from the districts most affected, and he had received an important deputation that had waited upon him upon the subject; and he was bound to say there was a general concurrence of opinion that the time should be limited, so as to admit of another discussion. He had not changed his own opinion, because he believed that the more experience they had of the Act, and the more they reflected upon the circumstances which had led to its enactment, the more they would see that a longer continuance would be necessary. But as he believed it would be re-enacted, and not wishing to expose himself to the charge of desiring to save himself trouble, he was not disposed to resist the general feeling in favour of further curtailing the duration of the Bill. He therefore proposed that the Act should be renewed only for the next two quarters, and that about June, when it would expire, the House should have an opportunity of renewing the Act or of allowing it to cease. Another suggestion had also been made, which he thought had received even more general support than the last, and that was that the period for repayment of loans should be extended over a greater number of years. When the power to raise money by loans was first conferred upon the boards of guardians, some apprehensions were entertained lest the power of borrowing might influence the guardians, in their mode of administering the Law, and some persons, indeed, thought that the distress was hardly sufficient to warrant such exceptional legislation, and that it would probably cease before Parliament met again. In that hope they had been disappointed, for the prospects were hardly better than they were at the close of last Session, and in some respects perhaps they were more gloomy, but he was bound to say, from all the information he had collected, that the Act had not had the smallest effect in producing irregularity or rendering the administration of the Poor Law by the guardians more lax. The manner in which the Poor Law had been administered during the last six months had shown no disposition to neglect the rules and orders under which the guardians usually acted, and there had been almost an indisposition to avail themselves of the new powers conferred upon them. Under these circumstances he could not feel any scruple in conferring further facilities upon the ratepayers to enable them better to meet the extraordinary charge thrown upon them by this peculiar distress; and he was ready to accede to the proposition which seemed to unite the greatest amount of opinion in its favour, which was, that the annual instalment paid with a view to the liquidation of the debt should be one fourteenth, instead of one-seventh; or, in other words, that the period for repayment of the money should be extended from seven to fourteen years. He believed that this might further encourage the unions to borrow money where there was an excess of expenditure, or perhaps strengthen the disposition which had already been shown to raise money in that way, rather than by seeking contributions in aid from other unions. There was only one other alteration in the Bill which he would propose, and that was rather the correction of an error in the original Act than any real change. In the 5th section it was provided that unions whose expenditure for the relief of the poor reached 3*s.* in the pound should not be required to contribute to other distressed unions; but, in consequence of the peculiar wording of the clause, it had been held that they were not entitled to include as expenditure for the relief of the poor contributions which they had been called upon to make to other unions. Such could not have been the intention of Parliament, and he proposed therefore in this respect to amend the section in the original Act. With these alterations, from information he had received, he thought he was justified in believing that those who were most interested in the subject would allow the Bill to be now read a second time, and to pass subsequently, and postpone to a future day any discussion upon other points. Even any discussion on points connected with the particular Bill would, he trusted, not be pressed then, but would be reserved for the Committee. The right hon. Gentleman concluded by moving the second reading of the Bill.

Colonel WILSON PATTEN said, he for one was not at all desirous of offering any obstacle to the progress of the Bill. He had stated, on a former occasion, that he believed that a renewal of the Act of last Session was necessary, and he felt bound to tender his thanks to the right hon. Gentleman for the manner in which he had met most of the objections raised upon the former occasion. But he could not conceal from the right hon. Gentleman that he had not met all the objections to the present Bill. He had, by his Amendments, met two of the chief objections, but there was another with which he had not dealt, which was well worthy of his consideration. Last Session his right hon. Friend said he preferred a rate in aid to a simple loan raised upon the security of the rates of the township or union, because it was more in accordance with the Act of Elizabeth; and the noble Lord the first Lord of the Treasury, said, that as the land in Lancashire had reaped the benefit of its proximity to the manufacturing districts, it ought to be called upon to assist in bearing the burden before help was demanded from any other part of the country. No doubt that was a just principle to lay down; but when the Act came into operation, it was found that the rate fell exclusively upon the tenants and occupiers, and not upon the landlords. His constituents said with truth, that though the farms and houses which they occupied had been enhanced in value by their situation, yet in taking them the occupiers had always to give their full value for them, and all the advantages of situation were considered in the rent. Lancashire farmers were thus in no better position than farmers in any other part of England. It was true that they had a better market for their produce than some possessed. But they paid for that advantage in their rent, and they thought it very hard, therefore, that the distressed unions should come upon them. He hoped that his right hon. Friend would consider that matter well before the Bill came into Committee. He was himself a landlord, and his interest thus lay the other way, but he thought there was much reason in the argument which he had mentioned; and if his right hon. Friend would only accede to the proposal which he had made last year, the objection would be met. There was another matter which, he trusted, would be maturely considered. His right hon. Friend should give more easy powers of raising the money than now existed, and then he should go a little further and enable the unions to take advantage of an Act of 1848, in which the Exchequer Loan Commissioners were empowered to advance money for works connected with the health of towns, and one or two other objects. The unions were allowed to raise money for fourteen years, but there was always a disadvantage in getting money in that way. In proof he might state that the banks of Manchester had refused to lend money to the different unions upon the terms of the Act, as being contrary to their principles of business; and the consequence was, that the limits within which the unions could borrow money being contracted, they had to pay a higher rate of interest than would be otherwise necessary. The lowest rate they were paying was 4½ per cent; but if they were allowed to borrow under the Act of 1848, they would be able to raise money at 4 per cent. Another grievance was, that unions which had paid a comparatively heavy rate should be called upon to afford assistance to unions which for a number of years had paid a much lower rate. For instance, one union which had to pay a rate of more than 2*s*. was now called upon to afford aid to unions whose average rate of relief for many years past had been 7*d*., 9*d*., 10*d*., or 11*d*. Such unions complained that it was very hard that in these bad times they should be obliged to help those who had been so much better off than they were themselves. With regard to the complaint of the occupiers which he had already mentioned, it might be said, "Let the landlords come forward and pay the increased rates." But during the last six months the landlords had voluntarily contributed a rate in aid greater by an immense amount than any rate which they would be called on to pay as landlords. He thought that the rate in aid should in justice cease, and that on the other hand greater facilities should be given to the guardians to raise the necessary funds by loan.

Mr. GREGSON said, he must beg to compliment the hon. and gallant Gentleman who had just spoken upon the part he had taken during the distress, and the time and attention which he had bestowed upon the work of relief. It was important that the House should consider the circumstances in which the distressed districts were placed, and the prospect that existed of a termination or diminution of the distress. If the calamitous war which unhappily raged in America were to end immediately, of course they would receive a supply of cotton to employ the operatives for the present; but, looking at the uncertain continuance of slavery in the South, the question presented itself whether they could prudently retain so many thousands of people in the cotton trade, expecting their former full and permanent employment at satisfactory wages? Again, if the war should continue, though other countries would send increased supplies of cotton, there was little prospect of a supply sufficient to employ all the operatives as before; and therefore, instead of remaining in hopeless and demoralizing idleness, would it not be kind and wise to recommend some portion of them to look out for other employment? Another question arose whether, if, as was now expected, they were receiving cotton enough to give work for three or four days in the week, the production would not be ample for the consumption of the world, especially as that consumption must necessarily be checked by an increase of price. That was a third reason for seeking other fields of labour for many of the cotton operatives. That the production of our cotton manufacturers had been too abundant was generally admitted. On that point he had received a letter from Calcutta, dated December 8, 1862, in which the writer said—

> "I do not think that people at home take into due consideration the extreme incredulity of the natives here in any representations made to make them pay more than they are accustomed to do for goods of any kind. They have no idea (up country at least) of the extent and reality of the cotton famine; they believe it is all got up by the Feringhees to get money out of them, and they will not give the long prices now asked, unless under very extreme pressure. I believe them to be very much better prepared to hold out for a year than the poor of England are. A decently respectable poor man here will give up to a certain price for cloth enough for a change of raiment, but will rather go without the change—aye, and will rather wear his dhootie for six months longer—than give an anna more for his cloth; and remember that clothing in this country is not such a necessity as in Europe, and that an enormous proportion of those who consume our English cotton goods, are people who will much sooner go all but naked than pay for such cloth a price which makes a hole in the proportion set aside for purchase of food. I mean to say, after this, that consumption has been so very seriously affected, apparently by the high prices, that it is vain to count upon it with any certainty at all. I believe, from all that I can gather and all I see, that prices will advance very little indeed while the natives know we have such stocks here."

Instead of allowing the people to remain in idleness and to some extent in demoralization, it appeared to him they should be recommended to seek employment elsewhere. The supply of cotton from India depended very much on the continuance of high prices. He had seen a very curious document the other day—namely, a bond from the Southern States of America for 50,000lb. of Orleans cotton, at 6*d.* per lb., deliverable at any port of shipment, free of export duty, forty days after the presentation of the bond. He thought the purchase of such bonds would be a good speculation, and was himself rather tempted to buy one. By these bonds the South was enabled to obtain the sinews of war.

GENERAL LINDSAY said, he considered the limitation of the Act to six months as very judicious. At the expiration of that period its provisions could be much more satisfactorily discussed, after the information and experience which its full operation would afford. He fully concurred in the objections which had been urged to the working of the rate in aid. He had presented a petition from the board of guardians of Wigan, where the local contributions for the distressed unions had been extremely liberal, where the rates had been kept down below the *maximum* of 3*s.* in the pound, and where they had hitherto been able to keep their people as well, if not better, than those in other towns of Lancashire. But they now found themselves called upon, being a distressed union themselves, to pay for other distressed unions. This was felt to be a very considerable grievance by the small class of shopkeepers, whose poor rates would be increased; and the hardship was felt all the more because the cotton business in Wigan was comparatively very small. He trusted that the right hon. Gentleman would turn his attention to this subject.

MR. E. C. EGERTON said, he wished to call attention to the sixth clause of the Act of last Session which constituted a special grievance on some of the unions in Cheshire. It declared that where the union applying for aid shall extend into two or more counties, the contribution in aid shall come from that county in which the greater part of the union is situated; and where the union required to contribute shall be situated in two or more counties, it shall only contribute in that county in which the greater part of it shall be situated. Now, any one reading the clause would imagine that the contribution was to come from the county in which the largest portion of the rateable value of the union was situate. That was the reasonable construction; but, to the surprise of many unions, the Poor Law authorities held that geographical area, and not rateable value, decided the liability. In that way Cheshire was called upon to contribute to Ashton-under-Lyne; and that was a hardship which called for immediate remedy, as there was an enormous extent of rateable value in Ashton, far exceeding that in Cheshire. During the last three years the town he had the honour to represent (Macclesfield) had paid higher rates than any district in Lancashire or Cheshire. The town was principally dependent on the silk manufacture, which had been unusually depressed, so that for the last three years the poor rates in Macclesfield had been nearly 4*s.* 6*d.* in the pound; and now, after paying all their own burdens without obtaining relief from other unions, they were called on to contribute their quota to the relief of the district of Ashton-under-Lyne. He hoped the right hon. Gentleman would endeavour to meet the grievance of such a case.

MR. ALDERMAN SIDNEY said, that the measure was at first intended to last for another twelve months; but the right hon. Gentleman had since consented, not in accordance with his own judgment, but in deference to opinions expressed in that House, to curtail its operations to the next six months. He considered the proposal to extend the term for the repayment of the money borrowed by the union a very hazardous one. Great anxiety, too, had arisen in those unions which were to be made liable to the support of distant districts under the question of the rate in aid system; and that anxiety would naturally increase for the future if, as there was reason to apprehend, the contributions of individuals for the mitigation of the distress were greatly to diminish. The Poor Law must have broken down in the most disgraceful manner but for the £800,000 contributed by voluntary subscriptions to the relief of the distress. Under the circumstances, it was astonishing that the Legislature were so supine. It could not be expected that the sufferings of the manufacturing districts would terminate in six months; and therefore the general Poor Law ought to be at once dealt with in a comprehensive spirit. The people of Lancashire felt that the present distress was a great national calamity, and that the Consolidated Fund ought to bear its pressure. ["No!"] Why should they wait for an emergency like that to teach them the common principles of justice? If the maintenance of the poor was to be regarded as a national charge, it was not right that the property of Lancashire should be borne down while other districts were comparatively unaffected. There were gross inequalities in the taxation of different places for the relief of the poor, and an undue burden was thrown upon the poorer parts of that metropolis, while the richer parishes were allowed to escape their fair contribution. The whole question of the Poor Law ought to receive the attention of the Legislature, and be dealt with in a large and statesmanlike spirit. In Committee on the Bill the Government should be urged to extend the principle of the rate in aid to the entire country.

MR. HUMBERSTON said, he saw no necessity for pressing on the measure with undue haste. Before being passed it ought to be well considered, and the country should have an opportunity of expressing its opinion upon it. He trusted the right hon. Gentleman would consider the Amendments he proposed to make in the Bill previous to its going into Committee. Great hardship was inflicted on unions in the county of Chester by the construction put on the Rate in Aid Act of 1862, as described by the hon. Member for Macclesfield (Mr. E. C. Egerton). Cheshire had been called upon to contribute upwards of £8,000 towards the union of Ashton-under-Lyne, which lay partly in Lancashire and partly in Cheshire. The portion of the population of that union which belonged to Lancashire exceeded 80,000, while that which belonged to Cheshire was about 50,000; and the greater proportion of its rateable property was also situated in the former county. He thought greater facilities should be given to unions for borrowing money. The rate in aid was vicious in principle, calculated to produce a reckless expenditure, and tended to check private benevolence. If, however, there was to be a rate in aid, he could not see why it should be confined to the two counties in which the cotton distress prevailed. If there were a rate in aid, the proper course to adopt, he thought, would be to make it a national rate, and he would further express a hope that the President of the Poor Law Board would give greater facilities of borrowing to the Unions, and that the Exchequer Loan Commissioners would be enabled to make advances at a moderate rate of interest. If that were done, the unions might be placed in a position to tide over the difficulties of the present crisis without having recourse to a rate in aid, which in itself was open to objection. He would, in addition, simply ask the right hon. Gentleman not to hurry the Bill through, but to allow the country full time to consider its provisions.

LORD EDWARD HOWARD said, he had to tender his thanks to the right hon. Gentleman the President of the Poor Law Board for the zeal and courtesy which he had brought to bear on the discharge of the duties of his office, so far as they related to the distress in the manufacturing districts. He (Lord E. Howard) had been horror-struck at having heard the hon. and gallant Member for North Lancashire (Colonel W. Patten) declaim against a rate in aid. Nor was it to be wondered at that such was the case, inasmuch as he happened to live in a union in which, unfortunately, the destitution was so great that the relief of the poor was provided for only at the enormous rate of 24*s.* in the pound. In that union, indeed, scarcely anything worth while could have been effected but for the splendid liberality which had been manifested in all directions, but which it would be too much to expect would be continued for any lengthened period. What then, he would ask, was to be done in localities so situated, of which there would be many if the war in America were not before long brought to a close? He, for one, saw no resource under the circumstances save a rate in aid judiciously administered. It was, he might further observe, on the frugality and honesty of the inhabitants of the manufacturing districts—those qualities which were so much held up to the admiration of the country—that the rates in the North were now levied. Their burden fell most heavily on the man who, having bought a cottage, which was, perhaps, for part of its value mortgaged to a building society, had no large margin to spare even in ordinary times, but who in times of exceptional pressure found himself in the greatest possible difficulty. The small shopkeeper, too, who had saved money barely sufficient to set himself up in business and to support his family in tolerable comfort, felt their weight most sorely, while the small farmer on the hill-side, who held some twenty or twenty-five acres of land, and who now could find no market for the produce of the few cows he happened to possess, would be exposed to utter ruin if the rates were long to continue at their present high level. The right hon. Gentleman the President of the Poor Law Board was therefore, he thought, entitled to the gratitude of the country for having extended the short term originally embraced in the Relief Act to fourteen years, and he should wish that the right hon. Gentleman would also see the expediency of lending Government money to the distressed districts. He knew an instance in which £50,000 had been lent to a Railway Company whose line ran through an impoverished locality, to carry on the works there; and if that was done then with the object of affording aid where it was needed, why should not a similar course be pursued with advantage in the case of Lancashire? Only the other day money had been borrowed in the county for the relief of the poor at the rate of 4 per cent, and negotiations were entered into for the loan of several thousands more at the rate of 4½ per cent—a large sum to pay in the shape of interest. Now, the Government would, he could not help thinking, confer a great benefit on a district so situated by the simple process of lending them money at the rate of 3¼ or 3½ per cent, or some rate so small that they would not suffer a loss by the loan. He was glad, he might add, that the present Act was to be renewed for a shorter period than twelve months, because long before the expiration of that time they might see a better or a worse state of things prevailing in Lancashire, and because he did not believe the wisest man in the country could predict what its condition would be—he would not say six, but even one month from the present time. The manufacturers of Lancashire might just then have a small supply of cotton, which enabled them to employ a certain number of hands, though at a loss, but they would soon work that supply out; and when they required more, they might at any moment find the price so advanced by the speculators of Liverpool as to render it impossible that their trade could be continued. So it would be with the large imports of cotton expected from India, which, judging from the experience of 1862, would be so spread over the year as to afford great room for speculation. Those things being taken into account, it would at once be seen how critical was the crisis which the House had to meet, and he for one thanked the President of the Poor Law Board for the spirit in which he had dealt with it.

MR. EVANS said, that his constituents felt themselves aggrieved by the operation of the Act, but he hoped that their opposition would be mitigated by the announcement that the Act was to be continued for only six months, and that the time for the repayment of loans was to be extended from seven to fourteen years. He thought that it was worth the consideration of the Government whether they should not themselves make loans to boards of guardians.

MR. HIBBERT said, he regretted that the right hon. Gentleman the President of the Poor Law Board had not acceded to one of the two suggestions which he had made the other evening—that of empowering the Government to lend money to the boards of guardians. The feelings of the different boards of guardians were decidedly in unity upon that point, having found very great difficulty in borrowing money from private sources. There were some other points which deserved the consideration of the House—one was with respect to the time when the borrowing powers should commence, and another with respect to the time when the rate in aid upon other unions should commence. The borrowing powers in the Act of last Session commenced after the expenditure had exceeded the rate of 3*s*. in the pound. Now, it was felt to be a very great hardship in many unions that they were obliged to expend an amount equal to the rate of 3*s*. in the pound before they were enabled to get any relief under the Act; and it would be a very great relief if the borrowing point were reduced from the rate of 3*s*. in the pound to 2*s*., for the rate of 2*s*. in the pound was fully equal in pressure to a rate of 3*s*. when the Act of last Session was passed, considering the means of those who had to pay. The other point was with respect to the rate in aid. Last Session he had felt a strong aversion to that principle. He was in favour of liberal borrowing powers. But he would be sorry now, after they had brought the rate-in-aid clause into operation, to see it struck out of the Bill. He would, however, offer the suggestion to his right hon. Friend, whether it would not to some extent do away with the hardship imposed upon many contributing unions if the point at which the rate in aid should commence were raised from 5*s*. to 6*s*. He trusted the House would be inclined to give liberal powers to Lancashire, as she had not come thither asking for national aid.

MR. COBDEN said, that he accepted with satisfaction the proposal of his right hon. Friend to extend the time during which the repayment of loans might take place; but as the discussion had taken a hostile tone towards another part of the Bill, which might probably increase the intensity of the opposition out of doors before they met again, he would say a word or two with regard to it. He was not last year at all enamoured of the rate in aid. What he then desired was that greater facilities of borrowing should be given to boards of guardians. He still entertained that opinion, and he believed that it was shared by all the boards of guardians in Lancashire. They were thwarted, however, in that wish — not so much, he believed, by his right hon. Friend, who, in his political career, had never been much afraid of a reform or an innovation, as by the Board over which he presided, which had a great objection to any change in its traditional policy of a rate in aid. Had the desired facilities for borrowing been given, he did not believe that the rate in aid would have been called into action, or that the question would have arisen to which the hon. and gallant Gentleman the Member for North Lancashire (Colonel Wilson Patten) had devoted so many remarks. That hon. and gallant Gentleman had complained of the inconvenience which this rate in aid occasioned to occupying tenants whose rents had been fixed without any anticipation of such an increase of poor rate. That was an evil which was not very easily remedied, but it might in some degree be met—not altogether without difficulty, however—by the adoption of a clause enabling them to charge the whole or part of the increase of rate upon the landlord. That to which he particularly wished to call the attention of the right hon. Gentleman was that the principle of a rate in aid was inherent in our Poor Law legislation; that it was part of our Poor Law code, not so much in the interest of property as for the protection of the rights of the poor. A part of a county might arrive at such a state of pauperism that it could not support its poor, and in that case it must call upon the rest of the county for assistance. That might be considered as part of our Constitution, and must be preserved as an alternative. They could not dispense with it, whatever checks or guards they might surround it with. If a district of Lancashire became utterly pauperized and property valueless, the people could not be allowed to starve; but he did not contemplate the possibility or necessity of that, provided there were no obstacles thrown in the way of the guardians for an easy mode of borrowing money. The manufacturing districts of Lancashire were quite in accord with the agricultural districts in the opinion that facilities should be given to borrow money rather than resort to the rate in aid, because with liberal borrowing powers, with free borrowing powers, and with the aid of the great fund in hand, it was likely that every union in Lancashire would, for the next twelve months, be able to maintain its poor without applying to the rest of the county. Why, then, as he said last year, should any restriction be, for twelve months at least, placed in the way of these unions borrowing money to meet their difficulties? In Rochdale, a borough which was not so badly off as some others, because there was in it some production of flannel, 20,000 were receiving relief, at the rate of about 2*s.* per week per head, which amounted to about £100,000 a year. The yearly value of the rateable property of Rochdale was £225,000, and taking this at a very low estimate would be worth £3,000,000. Finding itself, with all this property, in a dilemma, which they hoped would prove but temporary, and naturally wishing to relieve itself from so unpleasant a position, how was Rochdale to act? How would an individual act? Because that was always the best test in such matters. How would an individual act with £3,000,000 of property unencumbered and wanting £100,000 on an emergency during the next twelve months? Clearly, he would borrow the money. It would be a legitimate transaction, and he would get the money on easy terms. Then, why not allow Rochdale to do the same? The guardians of Rochdale had been unanimous in their wish to be allowed to exercise unchecked control over their property in that way. What said the Legislature, however, on the subject? It said, "Before you can borrow you must have paid poor rates at the rate of 3*s.* in the pound per annum for the preceding quarter." That in round figures, taking Rochdale as an illustration, meant this —that before that union could borrow £5,000, it must have raised in poor rates £9,000. Now, that in the present condition of that Borough, amounted to a sort of slow torture. He then in the name of that union, with an assessed rental of £225,000, worth at least £3,000,000, asked the House to let those people do what they like with their property for another twelve months. No, he did not say even with the whole of it; he repeated the suggestion he made last year—let the House insert in the Bill, if they would, a limitation as to the amount which might be borrowed, and let it be in proportion to their rateable property. As in the case of Rochdale, which would be an illustration of other unions, let them insert, if they would, a clause restricting the borrowing powers of that union during the next twelve months to the limit of 50 per cent on the amount of the assessed annual value of their property; in other words permit Rochdale to borrow, during the twelve months, £100,000 upon the security of their property, worth £3,000,000. He asked again, in the name of common sense and humanity, by what conceivable stupidity could anybody step in and say, "No, they shall not borrow until they inflict upon themselves this pecuniary fine just at a time when when so many are unable to pay it." What was the effect of levying those rates? In Oldham, they had heard, that for every rate they levied they squeezed out of existence 4,000 ratepayers; that was they compelled 4,000 ratepayers to go to the magistrates, plead poverty and their inability to pay. It was all very well for the rich to write out a cheque for the amount of the poor rate; but by every rate levied they were driving into the ranks of pauperism a large number of ratepayers. Now, he asked his right hon. Friend to shake off altogether the influence of those hereditary red-tapists with whom he was associated, and take the matter into his own hands. Let him meet the Members who represented the manufacturing and agricultural districts of Lancashire, and let them talk the matter over, and arrange it upon a principle of common sense before the House went into Committee upon it. If the right hon. Gentleman would only consult his own excellent sense and his courage, then he would no doubt deal with the matter in a way acceptable to the manufacturing districts, by which they might avoid the difficulty which the hon. and gallant Gentleman (Colonel W. Patten) referred to in the operation of the rate in aid, and thus perhaps enable the parties interested to carry themselves through that great calamity in a way the least hurtful to themselves and the least injurious to their neighbours.

MR. NEWDEGATE said, he felt the full force of what had been urged in favour of the giving of liberal borrowing powers. He was sorry to say that he had been engaged in the administration of relief in a district where the rates had been not merely 3*s*. in the pound, but 8*s*. and even 9*s*.; and therefore he was in a position to estimate the weight of the pressure upon the manufacturing districts. The suggestion he wished to make to the right hon. Gentleman was, that the borrowing powers should be resorted to to a certain point before the rate in aid was brought into operation. The reason was the difficulty which had been found, in the administration of relief, to prevent the relief, whether contributed by the bounty of the public or the rate in aid, if that money was not raised by the locality immediately distressed, being subjected to the abuse of the old Poor Law—that was the payment of the money in aid of wages. He was sorry to say that his own experience had brought him face to face with that difficulty, to obviate which he had made the suggestion. Now, with respect to the rate in aid, if they once threw that upon the owner instead of the occupier, they would plunge at once into the difficulty of a maladministration of that fund, because the owners, being few in number, and exercising little influence upon the administrative body, they would find the old abuse growing up, and money distributed in aid of wages. Once get into that system, and there was no remedy: they never knew to what extent their expenditure would go, and could not tell at what period it would stop. He would ask the right hon. Gentleman whether, in the event of the Bill being amended, he would be prepared, upon evidence of the existence of sufficient distress, to admit other districts than those of Lancashire, Cheshire, Yorkshire, and Derbyshire to come within the provisions of this Bill?

LORD GEORGE CAVENDISH said, he thought there was great force in the arguments of the hon. Member for Rochdale, that unions should be left to the exercise of their common sense in such great difficulties as presented themselves at the present moment. It was not the amount but the principle of a rate in aid which was objected to in Derbyshire. A great number of the old-fashioned cotton mills, which were worked by water power, had succeeded in keeping their hands employed upon the Indian cotton, and they naturally objected to being called on to pay a rate in aid of other mills, where, either the machinery was more expensive and could not be readily converted, or where, perhaps, equal efforts had not been made. It was worth while considering whether in the present emergency the same facility of borrowing money from the public funds should not be given to some of the most distressed unions which was extended to the landlords for the improvement of their estates shortly after the passing of the free-trade measures.

COLONEL WILSON PATTEN said, he wished to ask when it was intended to go into Committee on the Bill?

MR. C. P. VILLIERS: On Monday next.

LORD GEORGE CAVENDISH said, the interval proposed was much too limited.

MR. C. P. VILLIERS said, the Act, which it was proposed by the Bill to continue, expired on the 1st of March. He hoped the House would allow the Continuance Bill to be passed with as little delay as possible, and after the experience of a few months they would be in a better state to discuss the general question. If Monday was too soon, he hoped there would be no objection to fix Thursday next for going into Committee.

Bill read 2°, and *committed* for *Thursday* next.

MALT DUTY BILL—[BILL 20.]

SECOND READING.

Moved, "That the Bill be now read a second time."

COLONEL BARTTELOT said, that the necessity for bringing in a Bill of that character showed how necessary it was to do something with respect to the malt duties at large; for it showed how oppressively those duties worked, not only for the maltsters, but for the agricultural interest. If the Chancellor of the Exchequer would only apply to the malt duties the principle which he had so successfully applied to so many other taxes—namely, reduction up to a certain point, the duty might rebound, in consequence of the relief, and the revenue be more than made up. Such a measure would stimulate the production of barley, and enable persons to malt it, which at present they could not do. He would not enter into the whole question of the malt tax, because he hoped that on a future day the subject would be fully discussed; but he would say, that if there was to be any remission of taxation, the agriculturists had some right to expect from the Chancellor of the Exchequer the favour with which he had already regarded the manufacturing interest. With regard to the Bill, the relief to the maltsters was not at all what they desired. It was proposed that they should pay interest at 4 per cent on the duties for malt made between April and October, but it was well known that they did not get the money for malt made during that period until after Christmas; and therefore they would be called on to pay interest at 4 per cent for three months on money which they had not received. It would be a hard case for them and of small benefit to the revenue. If any measure of relief were given it should be such a measure as would benefit the trade, and he hoped in the Budget the right hon. Gentleman would take into consideration the agricultural interest, which he had hitherto neglected.

Sir MINTO FARQUHAR said, he recollected going up with a deputation to the Chancellor of the Exchequer on the subject, and he confessed that his right hon. Friend did not seem disposed to accept the suggestions then offered to him. He must have felt, however, that in reducing the credit from eighteen to six weeks he would so embarrass the small capitalist as to render it very difficult for him to carry on his business. Those who paid in the six weeks were called on to pay the duty before they got their malt into the market for sale, and they were also compelled to sell often when the market was very low to enable them to pay the duty. And when his right hon. Friend gave three months for the payment of the duty and asked 4 per cent interest, it was like asking men to pay interest on their own money, and in Committee he should oppose the charging

of interest. The Bill was, no doubt, intended to give small relief, but from the conversation he had had with maltsters in Ware he gathered that they were of opinion that it afforded no relief comparatively to what they felt themselves entitled to. The whole question required consideration, and he hoped an opportunity would soon occur for discussing it.

Major WINDSOR PARKER said, he fully concurred in the observations of the hon. Gentlemen who had spoken. Two years ago the table was literally covered with petitions from persons who felt themselves aggrieved by the oppressive nature of the malt tax. Farmers complained, and not without reason, that while, from time to time, other classes of the community received relief, while the paper duty was abolished, while the wine duties were reduced, and while the agriculturists in Sussex got the hop duty taken off—which he trusted was the prelude to the total abolition of the malt duty—the general agricultural body had received no corresponding benefit. The right hon. Gentleman now came forward with a miserable boon in the shape of an extension of the malt credits for six weeks on the understanding that the maltsters would pay 4 per cent interest. When the question of the abolition of the malt duties came before the House on some future occasion he believed that one of the most powerful arguments for that measure would be the usefulness of malt in fattening cattle.

The CHANCELLOR of the EXCHEQUER said, he hoped he should not be considered disrespectful if he did not enter on the general subject of the malt tax; but as they were promised a full discussion on a future day, he thought it better to reserve himself for that occasion. With respect to the particular provisions of the Bill, he concurred in the opinion that when they were in Committee it would be the best time to consider whether the relief proposed required further extension.

Mr. WALPOLE said, their legislation on the subject was extraordinary. A few years ago they limited the period of the malt credits, and by that process, in the course of two years, £2,000,000 were obtained by the Chancellor of the Exchequer for purposes of revenue, which really ought to have been considered as capital and not as revenue. They now found themselves under the necessity of extending the period of the malt credit; and although they were extending the period, they charged interest to the maltster before he had got a return of his money. Therefore, they were doing very little benefit to the maltster by returning to a system which had been done away with a little too unguardedly.

MR. PULLER said, he thought it was not quite fair to confine the discussion to the merits of the Bill. It was perfectly true that in Committee was ordinarily the time to discuss particular clauses; but the Bill was of a peculiar character, and if in Committee they succeeded in altering it as to the payment of 4 per cent interest, the right hon. Gentleman, not being satisfied, could drop the measure. There was a point, however, on which he wished to set himself right with the House. In the course of the debate which took place on the first reading, he ventured to state that the result of the contraction of credit in 1859 and 1860 was to drive a considerable number of maltsters out of the trade. The right hon. Gentleman the Chancellor of the Exchequer did not contradict him, but confined his speech entirely to the suggestion which had been made by the hon. Member for East Essex (Mr. Dodson). That hon. Member had stated that he (Mr. Puller) had been in error, for so far from there being a decrease in the number of maltsters, they had actually increased. He had taken the trouble to look into the Parliamentary statistics on the matter, and he found that they bore out the statement he had made. In 1859 the number of maltsters was 6,909, but in 1861 the number was 6,448, being a diminution of no less than 461. Turning to the main question, he could not but express his surprise that the Chancellor of the Exchequer, when he felt the injustice under which the maltsters suffered, and proposed to confer a certain amount of relief, should clog the boon with a charge of 4 per cent for the extension of time. The proposition was manifestly so unfair that it needed only to be stated to refute itself. Living as he did, near one of the greatest malting towns in England (Hertford), he had endeavoured, by communication with some of the leading members of the trade, to make himself master of the question; and the information which he possessed led him to the conclusion that nothing could be more unfair towards the maltsters than to impose a penalty of 4 per cent upon them for the proposed extension of credit.

MR. JACKSON said, he should support the course proposed by the Chancellor of the Exchequer, as it was the duty of the right hon. Gentleman to obtain the most he could obtain for the revenue. He could not see why the country should furnish capital to the maltsters to carry on their business. He thought the boon to the maltsters ample, and on commercial grounds he should object to any further extension of it.

MR. BENTINCK said, that as long as the malt duties existed, all talk about the prevalence of the principles of free trade was only a farce. It appeared to him, that on that side of the House there had been an expression of hope for which he feared there was little foundation, as well as on the part of some Members an expression of surprise at the proposition of the Chancellor of the Exchequer. What ground was there for ever hoping that the right hon. Gentleman would be the means of reducing the taxation which bore so heavily upon the rural districts of the country? The farmers had had only too much cause to complain of the injustice which they had experienced in financial matters at the hands of the right hon. Gentleman. As the right hon. Member for the University of Cambridge had said, the Chancellor of the Exchequer had contrived to alter the system of malt credits in such a way as to confer no benefit on those whose position it was proposed to improve. What was proposed was a most unfortunate system of legislation, for it would alter the system without conferring any benefit upon the sufferers under it. It was impossible to conceive any proposition, he might say, so absurd as that of asking a man to pay 4 per cent for money that was in the pocket of somebody else. He quite agreed that this was not the time for discussing the details of the measure, but he must say that it evinced most strongly the fact that the right hon. Gentleman had not abated one iota of that hostility which he had always shown to the rural districts of the country, and he hoped that on a future occasion the House would succeed in inducing the right hon. Gentleman to deal justly with the parties interested.

Bill read 2°, and *committed* for Monday next.

BIRTHS AND DEATHS REGISTRATION IRELAND) BILL—[Bill 9.]

INSTRUCTION MOVED. COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Lord NAAS said, he rose to move that it be an Instruction to the Committee to make provision for the registration of marriages in Ireland. A registration of marriage was quite as important as a registration of births and deaths. The Report of the Registrar General for England showed that the register of marriages was a complete barometer of the welfare of the people, and in all cases of property which depended on questions of legitimacy and descent it was of the greatest importance to have a complete system. In London alone last year there had been 1,178 searches into the marriage register, which showed how largely it was made use of by the people of this country, and what a benefit it was likely to be to the people of Ireland. Nothing was more common than for cases to occur in which the want of some such means of proving the legitimacy of children was painfully felt; for Irishmen frequently went abroad, and when they died out of the country, leaving property, great difficulty was often experienced by their representatives in establishing their claim. Many instances had come to his knowledge of property having been wholly lost to the rightful heirs in consequence of the absence of an authentic marriage record. The matter had been very fully inquired into by a Committee in 1861, and most important evidence was given as to the value of such a register. A system of registration should have nothing whatever to do with the question of the law of marriage, which many persons thought ought to be assimilated in the three kingdoms. Three plans had been proposed for the purpose of giving the country the great boon he sought to confer upon it. One, contained in Bills brought forward by himself and the Chancellor of the Duchy of Lancaster, was that register books should be furnished to Roman Catholic clergymen, which should be forwarded to the Registrar General, through the local registrars. His hon. and learned Friend the Member for Wexford (Mr. George) proposed another plan, imposing on all clergymen the duty of transmitting certificates of the marriages performed by them to the Registrar General, without the intervention of a superintendent registrar. A third plan was proposed by his right hon. Friend the Member for Limerick (Mr. Monsell), and provided that Roman Catholic clergymen should transmit copies of the certificates to the Registrar General through a Roman Catholic diocesan ecclesiastic. Any one of those plans would effect the desired object. It would, perhaps, be wiser to leave the system at present in force as to the marriages of members of the Established Church and the marriages of members of Dissenting bodies as it existed, and merely provide for the registration of Roman Catholic marriages. That ought to be done in the manner most acceptable to the clergy of the Roman Catholic Church and to the Roman Catholic people at large, and he was persuaded that it was quite possible to do it without giving offence or imposing undue trouble on the parties concerned. He knew there was an impression abroad that the registry of Roman Catholic marriages might lead to a neglect of the religious ceremony, but he believed it would have quite the contrary effect, for he had known instances of persons who were married before the registrar merely for the purpose of availing themselves of the facilities of registration, which such a proceeding put within their reach. He was astonished at the timidity shown by his right hon. Friend the Chief Secretary in declining to approach the subject, believing as he did that there would be no serious opposition to a proper system of registration of Roman Catholic marriages. The Bills which he (the noble Lord) and his right hon. Friend the Chancellor of the Duchy of Lancaster had already introduced had been lost merely on account of the pressure of business, and a dissolution of Parliament, and not because they had met with any serious opposition. The present was a most favourable occasion for taking up the subject once more, and he trusted that the opportunity would not be let slip.

Mr. GEORGE seconded the Motion.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to make provision in the Bill for the Registration of Marriages in Ireland."

MR. HADFIELD said, he was surprised to hear the noble Lord confine his Motion to the marriages of Roman Catholics.

LORD NAAS said, that the law already provided for the registration of marriages between members of the Establishment and of Protestant dissenters.

MR. HADFIELD would cordially support the Motion, but he wished to see the same privileges extended to members of all denominations.

MR. MONSELL said, his hon. Friend who had just sat down had fallen into a mistake. He had confounded the registration of marriages with an alteration of the marriage law. He entirely concurred with his noble Friend the Member for Cockermouth (Lord Naas) in thinking it advisable to deal with the registration of marriages and the operation of the marriage law as two separate questions. For the present they ought to confine themselves to the former. He did not think the right hon. Baronet the Chief Secretary for Ireland ought to be accused of timidity for not having taken up the subject in connection with the registration of births and deaths; because, clearly, his wish was to avoid a matter which up to that time had excited a great deal of uneasy feeling in Ireland, arising from an apprehension that there was an intention of making an alteration in the marriage law. As to registration itself, no doubt there was an objection on the part of the Roman Catholic clergy in Ireland to perform functions for the Government, and that could not be wondered at, seeing that they were not recognised by law; but he would remind the House, that after many attempts at legislation on the subject, a Marriage Registration Law was passed for Scotland in 1854. By the provisions of that Act parties contracting marriage were obliged, under penalty, to register their own marriage. Immediately after the ceremony a schedule obtained from the registrar was filled up by the clergyman, the parties, and witnesses; and, within three days, that schedule was sent to the registrar of the district, to be by him forwarded to the Registrar General. Since the Scottish system had been found to work so successfully, he thought it might, with advantage, be introduced into Ireland. The noble Lord referred to a suggestion he made in the Committee of having a Catholic ecclesiastic to which Catholic clergy should send certificates of the marriages solemnized by them. That might work well, but they had had no experience of it, while they had had experience of the Scotch system. They had already a system of registration of the Protestant marriages in Ireland, and it behoved them to provide for the registration of the marriages of Catholics, who comprised three-fourths of the population. He understood that one of the first measures of the new Pasha of Egypt had been to give orders for the registration of births, deaths, and marriages; and he trusted that, in that respect, Ireland would not be allowed to remain behind other civilized countries.

SIR GEORGE BOWYER said, he did not agree with the right hon. Gentleman who had just spoken, and he would venture to repeat his advice to the right hon. Gentleman (Sir R. Peel) to persevere with his Bill for the registration of births and deaths, reserving to a future Session the question of the registration of marriages. He agreed in the proposition that it was desirable to have in Ireland a complete system of registration of marriages; but before they could effect that there was one obstacle which they must get rid of, and that was the law relating to mixed marriages in that country. That law would prevent the application of the Scotch system to Ireland, because the clergyman would have to sign the schedule; and if the marriage were a mixed marriage, he would be liable to a penalty. Moreover, he objected to the proposed mode of legislating on the subject. The Bill purported to provide for the registration of births and deaths, and it was moved that the Committee be instructed to insert provisions for the registration of marriages. Such a mode of legislation, he contended, was most objectionable.

MR. M'CANN said, he saw great difficulty in dealing with the subject of marriages in connection with the registration of births and deaths. There was no objection to the Bill as it stood; on the contrary, he believed it would give general satisfaction in Ireland.

MR. MAGUIRE said, he would admit that the time had come when there ought to be a registration of marriages in Ireland, but he thought the machinery of the present Bill was not suited to such registration. One of the best things the Irish Members could do would be to avail themselves of the example of Scotland. It was a mistake to suppose that the Catholics of Ireland were opposed to the registration of marriages; but the fact was that the existing marriage law was penal against Catholic clergymen. There might be cases where, in the cause of morality itself, a Catholic clergyman might be compelled to solemnize a marriage between two persons of different religious persuasions, and where, if he did not celebrate the marriage, the greatest injury might be done to the woman. In such a case, as the law now stood, it would be dangerous for the clergyman to register the marriage, because he would be registering his own condemnation. While, however, he adopted the principle of the noble Lord the Member for Cockermouth. he did not think it would be wise to push the House to a decision at the present time. Let the House pass the present Bill, and then the Government, if they so pleased, might introduce another for the registration of marriages, assured that they would not meet with any factious opposition from the Irish Members.

Mr. BAGWELL said, he was anxious to see a registration of marriages, but he thought that was not an opportune time for proposing it. A system of registration in Ireland must be established by a distinct measure. To attempt to carry out that system by the Bill before them would, in his opinion, defeat the present measure. He trusted, therefore, that the right hon. Baronet would not adopt the suggestion of the noble Lord.

Colonel DICKSON said, that no two men in the world were more capable of expressing the real feelings of the Roman Catholics of Ireland than the right hon. Member for Limerick (Mr. Monsell) and the hon. Member for Dungarvan (Mr. Maguire). Both agreed in the desirability of having a registration of marriages, and both denied that such a measure would be distasteful either to the Roman Catholic clergy or to the Roman Catholic laity in Ireland. The right hon. Member for Limerick had suggested a plan which would give satisfaction to all classes—namely, that the registration should be made by the parties interested in the marriage, and, for his own part, he could see no difficulty in so altering the Bill as to make it applicable to marriages as well as to births and deaths. Another argument in favour of dealing with marriages now was a pecuniary one. The Bill as it stood would entail great expense upon the counties of Ireland; and if we were to have another measure for the registration of marriages, the cost of the two would constitute a burden of no inconsiderable magnitude.

Mr. M'MAHON said, he hoped that the noble Lord would press his Motion to a division, for the Bill as it stood was not worth the £16,000 a year which it would cost the country. If the Bill were delayed beyond Easter by including marriages in its provisions, so much the better, for the opinions of the country would thereby be ascertained. The law which made it penal for Roman Catholic priests to celebrate mixed marriages ought to be repealed, and the registration placed on thesame footing as it was in England and Scotland.

Mr. BUTT contended that they could not have registration in Ireland till the question of mixed marriages by the priest was settled, and that could not be settled till arrangements of a synod of Roman Catholics was adopted by the Legislature. A Roman Catholic priest might marry persons of his own persuasion in any place or at any hour; but if he attempted to celebrate what was called a mixed marriage, he was liable to be indicted for felony. That was too serious a state of things to be settled in the manner proposed by the noble Lord. The difficulty could never be got over till the validity of marriage was rendered independent of the religion of the parties. It was easy to deal with registration of births and deaths, very difficult to deal with the registration of marriages; and he therefore said, "Deal with the easy case at once, and make the difficult case easy as soon as you can."

Sir ROBERT PEEL said, he would admit that it would be very important, if possible, to establish a registration of marriages in Ireland; but, looking merely at the discussion which had taken place that evening, the opinion of the House, he thought, was rather in favour of the Bill going on as at present framed than that he should introduce into it a subject which would require a material alteration in the machinery, and, he believed, render the measure impracticable. His noble Friend seemed to think he had showed timidity in dealing with the subject. Now, "he dared to do all that might become a man;" but if he were to undertake that subject, he believed he should meet with great opposition. His noble Friend on two or three occasions had attempted to legislate on the subject, and, through no fault of his own, but owing to the general feeling of the House, had signally failed. His noble Friend said that the proposal he made did not entail any alteration in the marriage law of Ireland; but he maintained most confidentially that it would. Looking at the present law of marriage in Ireland, it would be impossible to attempt to legislate on the subject without introducing into it very material alterations. His right hon. Friend the Member for Limerick (Mr. Monsell) said he must not, in treating the subject, confound alterations in the law of marriage with registration of marriages; but he differed from his right hon. Friend. At that moment Protestants and Presbyterian Dissenters in Ireland had great cause of grievance in consequence of the Act of 1844. It did not deal with the position of three-fourths of the population, the Roman Catholics of Ireland. They might not celebrate mixed marriages, but they could marry at any hour, in any place, without any registry, without any registrar being present. The Act of 1844 laid great restrictions on the Dissenting bodies, and they would never allow the removal of grievances affecting the Roman Catholics till their own were removed. Besides, he thought it would be unfair to endeavour to impose on the Roman Catholic body in Ireland a course of proceeding to which they said they had conscientious objections. His right hon. Friend the Member for Limerick said, if he proposed alterations, they would be accepted; but he did not think so. His right hon. Friend last year had himself presented a petition signed by twenty-seven of the Roman Catholic hierachy in Ireland, protesting against the Bill of the hon. and learned Member for Belfast (Sir Hugh Cairns). They stated—

> "That your petitioners are willing to co-operate in every fair way with the State in making these registers available in courts of law, and even for statistical information; but they object to the legal imposition of such obligations as the Bill before your honourable House would enact. . . . . . . It brings Roman Catholic marriages under the general provisions of the proposed Act, thereby subjecting such marriages to restrictions which Roman Catholics must hold the State to be incompetent to attach to the celebration of marriages, and creating penalties from which in the worse days of the penal laws Irish Catholics were free."

There were restrictions which members of the Established Church were bound to submit to, and why should they exempt Roman Catholics from what they obliged Protestant ministers to regard, with respect to hours and places of celebration? Again, if he had proposed that the Roman Catholic clergy should send their returns to any except the Vicar General of their Church, they would not have assented. He believed it would be impossible to deal in one and the same Bill with the subject of the registration of marriages, and that of births and deaths. He felt very strongly on the subject. He hoped the House would not force on him the painful duty of placing obligations on Roman Catholics which they would conscientiously refuse to accept, and which might raise agitating discussions in that House. That the Bill imposed a charge of £16,000 could not be for a [moment compared with the advantages which it would confer, and could form no reasonable ground for opposing it. Precisely the same charge was levied upon the local rates in England and Scotland, and he could not understand why Ireland should be placed upon a different footing to those parts of the kingdom. The hon. Member for Sheffield (Mr. Hadfield) said, that all the Dissenters of Ireland approved the Bill of the right hon. Member for Belfast; but that was not the case, as a large body of Protestant Dissenters in Ireland opposed it, and he had himself presented petitions of unimportant bodies in the north of Ireland. In order to show the difficulty of dealing with the subject, he would read to the House a history of the recent attempts at legislation in that direction:—Registration of Births, Deaths, and Marriages Bill, introduced by Lord Naas, read a first time 8th March, withdrawn 6th April, 1859, previous to dissolution of Parliament; ditto, introduced by Lord Naas, read a first time 8th May, and second time 17th May, 1860, withdrawn 5th July; ditto, introduced by Mr. Cardwell, read a first time 10th May, and second time 17th May, 1860, considered in Committee and reprinted 21st May, withdrawn 5th July; ditto, introduced by Mr. Cardwell, read a first time on the 11th of February, and second time 15th of April, 1861, referred to a Select Committee 15th April, reported 11th July, withdrawn 23rd July; ditto, introduced by Lord Naas, read a first time on the 22nd February, and second time on the 15th April, 1861, referred to the same Committee. Marriage Law Amendment Bill, introduced by Lord Chancellor Campbell, read a first time, in the Lords, 11th March, and second time on 23rd April, 1861, passed the Lords 4th of June; ditto, introduced by Sir Hugh Cairns, read a first time on the 24th of July, 1861. Marriages, Solemnization and Registration of, Bill, introduced by Sir Hugh Cairns, read a first time on the 19th February, and second time 12th March, 1862, considered in Committee 2nd April, withdrawn 2nd July. In the course of a brief period the noble Lord was courageous enough to propose three Bills, but all were withdrawn, and therefore he (Sir R. Peel) did not think he could fairly be accused of undue timidity in declining to deal with a subject involved in almost insuperable difficulty by including it in a measure for the registration of births and deaths, for which there existed adequate machinery.

Mr. GEORGE observed that two of the Bills referred to by the right hon. Baronet had been referred to a Select Committee, who, after a careful inquiry, came to the conclusion that it was not only possible, but easy to adopt a mode of registration of marriages that would be acceptable to the great body of Roman Catholics, and to the clergy and laity of all denominations. Upon that Committee eight were Roman Catholics and seven Protestants, and by a majority of ten to four they adopted their report, the minority even being favourable to registration, but differing upon details. How, then, could it be said that there was any difficulty in dealing with the subject? He hoped the noble Lord would press his Motion to a division.

Mr. HENNESSY said, he was very anxious, after what had fallen from the right hon. Baronet the Chief Secretary, to disclaim, on behalf of the Roman Catholics whom he represented, any intention to shirk the registration of their marriages. He believed, that on the contrary, they were desirous of having them properly and regularly registered; and that the right hon. Baronet had entirely misunderstood the purport of the Petition of the Roman Catholic Bishops to which he had referred. The right hon. Baronet had brought in one Bill for the registration of births and deaths, and another respecting illegitimate children, but none in relation to marriages. Indeed, to judge from the right hon. Gentleman's measures one would fancy that there were no such things as marriages in Ireland. Nobody in Ireland had any confidence in the Irish Government, and the Chief Secretary knew nothing about the country. He trusted the House would insist on improving this Bill.

Mr. ESMONDE said, he should support the Bill as proposed by the Government.

Mr. LEFROY said, he thought it would be a pity to endanger the passing of the Bill, which undoubtedly was important, by tacking on to it another proposition, which could not be carried out without considerable difficulty. The registration of marriages was a most important object; but it ought to form the subject of a separate measure.

Colonel DUNNE said, he should support the instruction to the Committee, as every Roman Catholic Member who had spoken was in favour of a registration of marriages. The very Petition which the Chief Secretary had quoted showed that the hierarchy of that communion wished for such a registration, and were prepared to give it every assistance in their power; but they would not have their church or their religion interfered with. Without a scheme for the registration of marriages the Bill would be only a ridiculous system of statistical pedantry.

Question put.

The House *divided*:—Ayes 66; Noes 89: Majority 23.

Main Question put, and *agreed to.*

Bill *considered* in Committee.

Colonel DUNNE said, he would move that the Chairman report progress. He thought it very desirable that the Bill should be postponed until after the assizes in Ireland. He thought it most unfortunate that Bills relating to that country were generally brought forward when the majority of the Irish Members were absent.

Committee report Progress; to sit again *To-morrow.*

QUALIFICATION FOR OFFICES ABOLITION BILL—[Bill 4.]

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Packe.*)

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered* in Committee, and *reported*, without Amendment; to be read 3° on *Wednesday* 4th March.

PARTNERSHIP LAW AMENDMENT.

Partnership Law Amendment,—*considered* in Committee :—

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to amend the Law relating to Partnerships.

Resolution *reported*.

Bill *ordered* to be brought in by Mr. SCHOLEFIELD, Mr. MURRAY, and Mr. STANSFELD.

Bill *presented*, and read 1°. [Bill 26.]

REGISTER OF VOTERS BILL.

Bill to provide for an Alphabetical Index to the Register of Voters in Counties in England and Wales, *ordered* to be brought in by Mr. LOCKE KING and Mr. KER SEYMER.

Bill *presented*, and read 1°. [Bill 26.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, February 20, 1863.

MINUTES.]—*Select Committee.*—On Prison Discipline, *appointed*, and *nominated.*

PUBLIC BILL. — *First Reading.* — Poor Relief (Ireland) Act Amendment (No. 12).

CONVICTS—CONVICT SUPERVISION IN DUBLIN.

PAPER MOVED FOR.

THE EARL OF CARNARVON, in moving for "Copy of Regulations with regard to the Supervision to be Exercised over the Convicts on Ticket of Leave in Dublin," said, that his chief object was to give to the noble Earl the President of the Council an opportunity of explaining a statement made the other evening which had led to some misapprehension. The noble Earl then stated that the supervision of the convicts liberated on tickets of leave, which had been applied generally in Ireland, was not enforced in the City of Dublin on account of the denseness of its population. He had no wish to go into a discussion of the relative merits of the English and Irish convict systems; but it was obvious that if the supervision, which was a distinguishing feature of the Irish system, could not be enforced in Dublin, there must be many portions of England to which it was not applicable. He thought the noble Earl was mistaken in that statement, and that it would lead to misapprehension. The fact, he believed to be, that while in the rural districts of Ireland monthly reports were made of the condition of the convicts, in Dublin the supervision was carried still further. Reports were made fortnightly, and an official was charged with the duty of paying frequent visits to the different convicts residing in the city and making reports on their conduct. The noble Earl concluded by moving for a Copy of the Regulations.

EARL GRANVILLE said, he had made the statement, referred to by the noble Earl, on the authority of the Chief of the Police in London, who had been in communication with the police authorities in Ireland. That fact, as he understood, was, that there was no regular supervision exercised by the police over the convicts in Dublin, but that they were assembled fortnightly under the supervision of a gentleman who had undertaken that duty, and whose services seemed to have been productive of considerable good. The convict systems both in England and in Ireland would be fully considered by the Commission which was at present prosecuting its inquiries, and he trusted that such suggestions would be made as would have the effect of improving both systems.

Motion *agreed to.*

CONVICTS—REMISSION OF SENTENCES.

ADDRESS FOR RETURNS.

THE DUKE OF MARLBOROUGH *moved*,

"That an humble Address be presented to her Majesty for a Nominal List of Persons who have received a Remission of Sentence under the Terms of the Home Office Circular, 27th June, 1857, stating in each Case the original Sentence passed the Portion of such Sentence undergone by the Convict previous to his being discharged either in this Country or the Colonies, and in what Pena Establishment ; also a Nominal List of Persons discharged since the above-mentioned Circular who have been re-convicted, and the Sentence passed."

The noble Duke said, that a Circular had been issued recently from the Home Office in which the terms of a previous Circular of the year 1857 were considerably modified. The latter laid down a scale which was to be followed in remitting sentences of penal servitude. It was so difficult to obtain any reliable information as to how these remissions of sentences had worked, that he hoped there would be no objection to furnishing the Returns for which he moved, and which would show the number of persons who had received remission of sentence under that Circular. In the Returns already made, the numbers were stated in the aggregate—and the portions of sentence undergone were also given without reference to any particular individual. He was therefore anxious to obtain information of a more complete and minute description. By the present Returns it was almost impossible to trace the result of the system now in operation. The Circular of 1857 left much less discretion to the officials than that just issued; for in the latter the Home Secretary laid down a scale on which the officials were to be guided in the remission of sentences. The noble Earl near him (the Earl of Carnarvon) had shown, during the discussion of the subject of prison discipline yesterday, that there was great increase of crime in the year 1861 as compared with 1860. How far that increase was attributable to the remission of sentences under the terms of the Circular of 1857, and the re-conviction of the persons liberated, he could not say, but it was far from improbable that it was in some degree to be accounted for by the injudicious action of prison officials under the Circular. He would only mention one instance in which its terms had been departed from. The case of Redpath, to which he (the Duke of Marlborough) alluded on a previous occasion, exemplified the want of certainty in the remission of sentences. Redpath was convicted of forgery in 1857, and sentenced to transportation for life—a sentence which, by the Act of 1853, was equivalent to one of penal servitude for life. In 1858 he was despatched to Western Australia, contrary to the Act, which provided that no person who was removable from this country should be sent away until he had undergone eight years' penal servitude in this country. Five years had scarcely elapsed from his arrival in the colony before he was liberated, and, in the enjoyment of a revenue of £200 a year, lived in his own house and upon his own resources. In point of fact, he appeared to have only undergone one year of penal servitude. If there was any objection to give a nominal Return, a numerical Return might be given; what he wanted was that each case should be specified.

Earl GRANVILLE thought, that to be of any value, the Return asked for by the noble Duke must be nominal. He was informed that to prepare it in such a form would involve a great deal of trouble and take considerable time. He therefore hoped the noble Duke would not press his Motion.

The Duke of MARLBOROUGH said, that on the considerations stated by the noble Earl, he would postpone his application until after the Commission should have reported, when he would move for the Return if the information he wished for had not been called for by the Commission.

Motion, by leave of the House, *withdrawn.*

POLAND.—QUESTION.

The Earl of ELLENBOROUGH: My Lords, I rise to ask, Whether the Government will lay upon the table any Despatch from the Consul General at Warsaw, in as far as it relates to the immediate Origin of the present Insurrection in Poland; also, to ask whether any Communication has been made by the Russian Government with respect to the Origin of the Insurrection, or by the Prussian Government with respect to any Engagement it may have entered into with a view to aiding the Russian Government in its Suppression? Your Lordships will observe that I only ask for information as to communications which may have been received from other Governments. I ask no question as to any communication which may have proceeded from Her Majesty's Government. If, however, they should feel themselves in a position to make any statement on the latter point, I have no doubt it will be received with satisfaction by your Lordships; but I am not asking for information with respect to their own proceedings, because there might be some inconvenience in affording it on this occasion. But, my Lords, I am sure of this, that whatever Her Majesty's Ministers may have said or done, the feelings excited in their breasts by the recent conduct of the Russians in Poland must be similar to those which have been excited in the breast of every English gentleman. I feel that I should display a want of candour, that I should be guilty of an offence against the Members of the Cabinet, if I expressed the slightest doubt of that. My Lords, the news of this insurrection in Poland was to all of us a subject of the most painful surprise. No doubt, nothing had occurred to lead us to expect such an ebullition of public feeling on the part of the Poles. On the contrary, the course of events during the last eighteen months had been, upon the whole, such as rather to lead us to hope that, on the whole, things were in a somewhat better state. Towards the end of the summer of 1861 the Russian Government sent a new Governor to Poland, with instructions of a most just and conciliatory character towards the Poles. At a somewhat later period the Emperor sent the Grand Duke Constantine to Poland, and his Imperial Highness, accompanied by his family, went there, in all probability with instructions in the same spirit. From these occurrences there seemed no doubt that the Emperor would attempt to conciliate the Poles, and it was hoped that some arrangement would be come to whereby something like Constitutional Government would be established in Poland. I believe the advice given by the friends of Poland was that the Poles should take the hand of friendship held out to them, show their willingness to co-operate with the Government, and accept all they could get. But it seems that while all this was going on, the police under the Russian Government were collecting information, or what they term information of the political opinions of every one in Poland capable of military service; and in the middle of the night of the 14th of January, without warning, by virtue of an order signed only at ten o'clock that night, Russian soldiers surrounded the domiciles and families of persons residing in Warsaw and forcibly took them from the midst of their families, without affording them any time to make preparations for a separation, perhaps for life, from all that belonged to them. It is to be observed, my Lords, that the men seized under that conscription were not those who were fittest for military service, but those who from their political opinions seemed to the Russian police fittest to be consigned to the Russian army for life. My Lords, the feeling of the people of Warsaw and of the people of Poland was one of utter despair. Those who could escape betook themselves to the woods, and a feeling of despair led them at once to resist the armed force of Russia. My Lords, they had not time for reflection—their feeling was that of unutterable despair—but, had time been afforded to them, they could have come to no other resolution than that which uncalculating despair suggested. There was no longer security for any man in the midst of his family. In many cases men were selected as soldiers for the purpose of gratifying private animosity, as might have been done in former times in the State of Venice. It was a blow at the nation, and the nation has risen to avenge it. I recollect that when the revolution broke out in France, a Minister of great candour and straightforwardness, and who knew the circumstances which had led to it, expressed his opinion in this House that the revolution was provoked. My Lords, I trust there is a similar spirit and candour in Her Majesty's present Government. If they really believe the circumstances occurred in Warsaw which we are told led to the insurrection, I do hope they will come forward and declare that the Government think the insurrection was provoked, and thus place themselves where the Government of the country ought to be—at the head of public opinion. My Lords, let us observe what has occurred in consequence of the insurrection provoked by the conduct of the Russians. At the present moment Russia cannot be considered any longer as in Europe. A few years ago England and France and Piedmont combined together to bar the passage of Russia to the Bosphorus. They succeeded in that object, and Russia has now barred herself from Europe on the north-east—her frontier is practically thrown back to the Niemen. It would be impossible for her to lead her troops through Poland; and, owing to the condition of that country, it is almost certain that such a state of things must continue for a considerable time. She has not only to reconcile to herself the Poles, but she must also reconcile to herself the public opinion of all Europe. Depend upon it, my Lords, that the sullen murmurs of the public reprobation of all the nations of Europe must have made themselves heard in Petersburg. Look around and see in what quarter we have reason to apprehend the consequences. We can look back and recollect during how many years the Poles fought gallantly in the ranks of the French army. As long as there exists in France a sense of military honour—as long as there remains the memory of the brilliant deeds of the Poles, of the courage and daring of that noble brotherhood in arms which led them to the last, under the most untoward and disastrous circumstances, to stand in unbroken ranks round the colours they had chosen—as long as this remains, France must be in heart with Poland. And the Emperor of the French—who is most sensitive to observe and to apprehend every change in public opinion—it is impossible for him not to observe what are the sentiments of the French people and the French army; and these must soon become the sentiments of the Emperor. Austria, my Lords, has throughout acted loyally, according to the principles of International Law, and neither Russia nor any other Power, as far as I am aware, can by possibility attach blame to her for her conduct. But what are we to say of Prussia? It is but a few weeks ago that the King of Prussia summoned his army and his people to celebrate the fiftieth anniversary of the call of their King to the field, when, in 1813, the whole nation sprang to arms, and Prussia marched by the side of the Allies to Paris. My Lords, it was not the summons of the King alone which led them to take that course—it had already been adopted by a portion of the army. That movement arose from a feeling of resentment which it was impossible to control when the Prussians looked back at the indignities and suffering to which the French had subjected them. They rose then to redeem the honour of their country: they rose to demand for themselves the position and the rights of an independent people. And, my Lords, can it be expected by any Sovereign, however mediæval his notions of Government may be, that those who now represent the Prussian army will allow themselves to be moved to the Polish frontier for the purpose of repressing every principle and every feeling which they had at heart in 1813, and the assertion of which has obtained for them the higher rank they have since maintained in Europe? Prussia owes that she is a nation—that her army is respected among those of Europe—she owes everything she has of honour and independence to her having acted upon the very principles and been incited by the very feelings which she is now, I fear, called upon to attack on the Polish frontier. My Lords, that cannot be. It is contrary to nature—it is contrary to the feelings of nations and of armies; and if the King of Prussia should add to all the various acts which have so irritated his people and his Parliament an attempt to trample through the army upon the very principles to which he owes the independence and the honour of his country, there will arise a crisis in that kingdom—a mighty reaction—which may extend yet further, and may again disorganize all the States of Europe. I do not pretend to entertain any peculiar views respecting the causes which may have given rise to the great events now transpiring in Poland. But I have an enduring reliance upon the general beneficence of that Providence from which all these great events must spring; and, looking at the inscrutable manner in which Providence effects its purposes, bringing good out of evil—dreadful as the view is which we now have of the state of things in Poland, and of this hòrrible war in which both parties destroy, and both are believed to massacre—whatever may be the miseries now inflicted upon Poland—I will entertain the hope that this is the commencement of a brighter era, and that even we may live to see that which has been the object of all Statesmen for the last eighty years—the re-establishment, if not in its integrity, at least in strength, under a constitutional Government, of the noble nation of the Poles.

Earl RUSSELL: My Lords, in answer to the noble Earl, I shall confine myself as far as possible to the facts of the case as far as they are known to me, and shall abstain as much as possible, with the exception of one part of the observations which he has made, from the expression of opinions respecting what is now going on in Poland. In the first place, I will say that I cannot, consistently with my duty, give the report from our Consul General at Warsaw, because I consider that while these events are transpiring the production of these reports would make the position of the Consul one of extreme difficulty, and would render it almost impossible for him to give information, and to describe the course of things in Poland, without encountering violent opposition from one or other of the parties. With regard to the present outbreak, I must say I do not think it was so sudden and so unexpected an event as the noble Earl seems to suppose—at least to those who were in the habit of receiving accounts of what was going on in Poland. Your Lordships will recollect that last year there were in Warsaw great demonstrations, the churches being filled at times with men and women singing patriotic hymns, these demonstrations, however, being unaccompanied by any breach of the peace. But it was impossible that they could have continued for a long time without either producing, on the part of the Government and the Emperor of Russia, an inclination to accede to the wishes of the Poles at Warsaw, or without leading to violent measures from those who took part in these demonstrations. Now, my Lords, in considering the affairs of Poland, we may divide the population of the country into three different classes. One portion, consisting of the landed aristocracy, the great owners of the soil, many of them enlightened men, engaged in the cultivation and improvement of their estates, and in improving the condition of the people living on those estates, were but little disposed to favour any act of revolution. Another portion of the people of Poland consists of the middle classes in the towns, both those belonging to the upper part of the middle classes and the shopkeepers and others who belong to the lower part of the middle classes. The other portion of the population of Poland consists of the peasantry. When the demonstrations, to which I have alluded, ceased, there was a great difference in the course taken by these different classes of the population. The great landowners were determined, if possible, to bring their grievances to the foot of the throne, but they were determined, at the same time, not to break out into any act of violence, and not to use force for the accomplishment of their objects. Those objects were, according to my information, the right of constitutional government, the right to have representatives, and to have a Polish Administration, or an enlightened Administration, consisting chiefly of Poles, favour to the religion of their country, and the encouragement of the study of the language of their country. With regard to the last of these objects, they were in agreement with the intentions of the Emperor. Heretofore, in the history of Poland, it has been the object of the Russian Government to root out the language of the country, and to deter the Poles from the exercise of the Roman Catholic religion. The present Emperor, on the contrary, was understood to favour the national development of Poland, and his wishes and views with regard to the Government of Poland were described as, to a great extent, most enlightened. These persons, then, belonging to the landed aristocracy of Poland, met together, and in conformity, as they believed, with the wishes of the Emperor and of the Grand Duke Constantine, they prepared an address in which they, in the first place, stated their wish that Poland should be enlarged by the addition of certain provinces now under the Russian rule, which, since the first partition in 1772, had been separated altogether from Poland; and, in the second place, they asked for constitutional Government. Their wishes, in these respects, were not different from those entertained by Alexander I. of Russia, and were not inconsistent with the general provisions of the Treaty of Vienna, in framing which the Emperor took so large a part, and over which he exercised so considerable an influence. When, however, this address, signed by more than 200 of the chief landed proprietors in Poland, was presented, the persons who so presented it were told that they had committed a grave offence against the State, and Count Zamayski, who had been the medium of its presentation, was told that he had taken a step which was inconsistent with the law and with the policy of the Emperor, and that it was requisite for the internal peace of Poland that he should quit the country. Accordingly, he quitted Russia and came to England. While here he was informed that his wife, whom he had left behind him, was at the point of death. Upon this he applied for permission to visit his dying wife; but—owing, I am bound to say, to some mistake—the telegraphic despatch sent never reached its destination, and therefore he received no answer to his application. It had always been attempted, on the part of the aristocracy of Poland, to obtain a representative constitution, and to establish a liberal government which would be entirely consistent with loyalty towards the Emperor of Russia; but, in this instance, the attempt came to an end in the manner I have described. I now come to the second portion of the Polish population, consisting of the middle classes. They were in despair at finding that no improvement in the administration of the country resulted from the efforts of those who were sent to improve it; and they therefore formed themselves, in Warsaw especially, into secret societies, among whose members were persons entertaining the most extreme views on social and political questions, partaking to some extent, I believe, of the opinions held by M. Mazzini. My Lords, it was open to the Russian Government, of course, to have used their utmost vigilance in repressing these secret societies, giving to the members of them a fair trial, and, if necessary, severe punishment; but, at the same time, the Emperor might have continued and enlarged his plans for the improvement of his administration in Poland, and might thus have showed that under the Russian Government happiness was still within the reach of the Polish people. Unfortunately, this was not the course taken by the Government of Russia; and the Emperor, under the advice—this, at least, is the general belief—of a very distinguished Pole, Count Wielopolski, who had been placed under the Grand Duke at Warsaw, came to a different conclusion. I will not attempt to repeat the account of that which the noble Earl described in his own graphic and impressive manner as the effect of the conscription. Certain it is that the measure of conscription which was carried through by the Government of Poland was of the most severe character, and such as to excite the unhappy population to despair. A conscription is of itself a measure of great severity upon the population. It condemns a man, who has no wish to embark in the military profession, to banishment from home, and to all the privations of a military life, if the lot should fall upon him. Seeing that the measure itself is one of such severity, the Sovereigns of those countries, where it is in force, have introduced such modifications of the law as make it tolerable to the population and modify its severity beyond what the necessity of the case might require. And the Russian Government itself, by the laws of 1859, had introduced a system by which it was provided that so many should be chosen out of every 100, or out of every 1,000, such choice being made justly and fairly, and substitutes were allowed for those who had fair ground for exemption. Instead of taking the legal course, the Government of Poland ordered in the first instance that the whole conscription should be levied upon the towns, in which they considered the spirit of insurrection chiefly to prevail, and that it should not be levied in the country parts, where the peasantry were supposed to be less disaffected. That of itself was a great injustice. But they went beyond this, and not only ordered that the whole number of conscripts should be taken from the towns, but also that from certain lists of names which, as the noble Earl has stated, were supplied by the police, those persons contained in those lists, without trial or examination, were to be presumed to be guilty of disloyalty, and were to be seized and carried away to serve as soldiers, although they were not fairly liable to be placed upon the lists of conscripts. The feeling produced by such a measure may be imagined. The persons who were engaged in secret societies, who meant to rise in insurrection at some time, although probably they would never have carried out that intention, were driven to despair; they thought that if they must serve as soldiers they would rather shed the last drop of their blood upon their native land of Poland than waste their lives in distant lands in the service of Russia. Those who were not engaged in conspiracies were struck with alarm lest they might be suspected, and thus they at once fled from the towns and determined to risk their lives in insurrection. Well, my Lords, this measure, although it was not a measure taken with a population that was perfectly tranquil and well affected, yet it was a measure which, I think, no British Minister would venture to justify. In conversation with the Russian Minister, and in writing to Her Majesty's Ambassador, I could not forbear to express my opinion that it was the most imprudent and the most unjust step the Russian Government could take. With regard to the second part of the noble Earl's question, which relates to the communications with respect to the engagements by which the Prussian Government has bound itself to lend its assistance in certain events to the Russian Government to repress the insurrection, I have had conversations both with the Russian and the Prussian Ambassadors upon the subject, but they have not furnished me with a copy of the convention; indeed, they informed me they had no such copy. But they have informed me generally of the nature of that convention. The Russian Ambassador told me to day that it was not a convention, on the part of Prussia for the purpose of suppressing the insurrection in Poland; but I understood from him and from the Prussian Ambassador that the purport of the convention was, that instead of Prussia remaining perfectly neutral—in which case Russian soldiers either taking refuge from insurgents or being in pursuit of insurgents, if they should touch upon Prussian territory, would be disarmed and kept disarmed as long as they remained upon Prussian territory—they have agreed that Russian soldiers, when taking refuge upon Prussian soil, should retain their arms, and if pursuing Polish insurgents they should be permitted to pursue them, and take them prisoners if they can, upon Prussian territory. I understand also that the engagement is reciprocal, and that, if any insurrection should occur in the Polish provinces of Prussia, the Prussian soldiers would be allowed to pursue the insurgents in Russian Poland, and take prisoners any insurgents they might be able to find there. Those are, as far as I can understand from verbal communication, the engagements now existing between Prussia and Russia. As to Austria, the Ambassador of Austria has read to me a despatch showing the policy of the Austrian Government, and of which I can give your Lordships an outline. The Austrian Government declared they would take no part with regard to the Polish insurrection, but that they would strictly comply with all their engagements with Russia—that they will not permit arms or ammunition to cross the frontier, nor persons in arms as insurgents to take advantage of any shelter in Austria in order to make an attack upon the Russian provinces of Poland. But, beyond this, the Austrian Government takes no measures such as those I have mentioned in the other case. The Austrian Government declared, in the name of the Emperor, that it is his wish that his subjects in Galicia should enjoy all the privileges which they have at present; that he will not send any more troops into Galicia than were there before the breaking-out of the insurrection, but will rely entirely upon the fidelity of the people. I could not help observing to the Prussian Ambassador that, in my opinion, the Prussian Government, by taking any share in the suppression of the insurrection, does in some way make itself responsible after the fact for the measures of conscription that have been adopted. I have now stated to your Lordships all that I can at present detail. As to any advice to be given, that must be a matter of most serious deliberation. I do not know at present the whole extent of the objects and scope of the insurrection. We do not know whether it may not be a mere movement of despair, against which the influence of property may be successfully brought to bear, or whether, on the other hand, it may not extend further, and become a national movement. Under these circumstances, I must decline to produce at present the papers to which the noble Earl has referred.

The Earl of MALMESBURY:—I do not clearly understand from the noble Earl whether, if insurgents took refuge without being pursued, they are to be given up by the Prussian Government to the Russian Government. I cannot sit down without expressing my sincere sorrow at what I have heard to be the attitude of the Prussian Government.

Earl RUSSELL:—I have not been informed that there is any article or stipulation with regard to unarmed refugees.

POOR RELIEF (IRELAND) ACT AMENDMENT BILL [H.L.].

A Bill to amend the Law enabling Boards of Guardians to recover Costs of Maintenance of Illegitimate Children in certain Cases in Ireland —Was *presented* by The Viscount Lifford; read 1ª; and to be *printed*. (No. 12.)

PRISON DISCIPLINE.

SELECT COMMITTEE APPOINTED.

The Earl of CARNARVON *moved*, that a Select Committee be appointed to consider and report upon the present State of Discipline in Gaols and Houses of Correction.

Motion *agreed to*.

Select Committee *appointed* to consider and report on the present State of Discipline in Gaols and Houses of Correction.

The Lords following were named of the Committee; the Committee to meet on *Tuesday* next, at Four o'Clock, and to appoint their own Chairman:—

Ld. President.
D. Richmond.
D. Marlborough.
M. Salisbury.
L. Steward.
E. Carnarvon.
D. Malmesbury.
E. Romney.
E. Cathcart.
E. Ducie.
E. Dudley.
V. Eversley.
L. Wodehouse.
L. Wensleydale.
L. Lyveden.

House adjourned at a quarter past Six o'clock, to Monday next, half past Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 20, 1863.

Minutes].—Select Committee.—On Private Bill Legislation, *nominated;* On Ordnance, *appointed.*

Report.—Controverted Elections, Chairmen's Panel.

Supply.—Committee *deferred.*

Resolutions in Committee.—Prince of Wales (Queen's Message) [17th February], *reported;* London Coal and Wine Duties.

PUBLIC BILLS.—*First Reading.*—Prince and Princess of Wales' Annuities [Bill 30]; Education of Factory Children [Bill 28]; Bleaching and Dyeing Works Act Amendment [Bill 29]; Barristers (Ireland) [Bill 31]; London Coal and Wine Duties [Bill 27].

Committee.—Births and Deaths Registration (Ireland) [Bill 9].

Report.—Births and Deaths Registration (Ireland) [Bill 9].

Third Reading.—Illegitimate Children (Ireland) [Bill 13]; Drainage of Land (Ireland) [Bill 7].

RESIGNATION OF SIR WILLIAM ARMSTRONG.—QUESTION.

MR. LAIRD said, he would beg to ask the Secretary of State for War, Whether he has any objection to lay upon the table of the House a Copy of any Correspondence that has taken place between Her Majesty's Government and Sir William Armstrong as to resigning his appointment; of any Correspondence between Her Majesty's Government, Sir William Armstrong, and the Elswick Ordnance Company as to the termination of the contract between the Government and that firm; and of any agreement or arrangement entered into for the Valuation of Plant, or otherwise, connected with the Elswick Works?

SIR GEORGE LEWIS, in reply, said, he was ready to produce the correspondence with Sir William Armstrong; but, as that with the Elswick Company was not complete, he could not agree to lay it upon the table.

THE IRISH CENSUS.

QUESTION.

MR. W. O. GORE said, he wished to ask the Secretary of State for the Home Department, When the detailed report of the late Census in Ireland will be printed?

SIR GEORGE GREY replied that he had been informed by the Registrar General for Ireland that the first part of the details would be ready to be presented to Parliament in the month of April, and the remainder in the following month.

PUBLIC SUBSCRIPTIONS.

QUESTION.

SIR JOHN HAY said, he rose to ask the Secretary of State for the Home Department, Whether he proposes to take any steps to ascertain the wishes of the Subscribers to the Funds which have lately been raised to relieve the sufferers in India, in the Crimea (the Nightingale Fund), the Hartley Colliery Fund, and others, with a view to bestowing the surplus on other sufferers by calamities which were similar in their nature?

SIR GEORGE GREY, in reply, said, that as these funds had been raised by voluntary contributions for specific purposes, and placed by the subscribers in the hands of Committees or Trustees, it would be obviously improper for the Government even to appear to assume a right to deal with them. If there was any surplus after meeting the objects for which any of them were raised, its disposition, of course, would rest with the Committee or Trustees.

TICKETS OF LEAVE.

QUESTION.

MR. DENMAN said, he rose to ask the Secretary of State for the Home Department, Whether any instructions have recently been issued with reference to the revocation of Tickets of Leave for infringement of the conditions endorsed thereon?

SIR GEORGE GREY said, he had a few nights ago stated, in reply to a similar question asked by another hon. Member, that the only instructions which had been given with reference to this subject were that certain officers of the metropolitan police should see the convicts before they left Milbank, with a view to facilitate their identification. Those instructions were part of a general arrangement which had been contemplated by the Government, but which had been suspended during the sitting of the Royal Commission on the subject, in order that the recommendations of that Commission might first be known.

THE NAVY—APPOINTMENT OF MR. REED.—QUESTION.

SIR FREDERIC SMITH said, he wished to ask the Secretary to the Admiralty, Whether there is any truth in the report that it is contemplated, in the event of the resignation of Mr. Isaac Watts, C.B., Chief Constructor of the Navy, to appoint to that important office a gentleman over the heads of Mr. Abethell, Mr. Oliver Lang, and other distinguished and talented master shipwrights of long standing in Her Majesty's service?

LORD CLARENCE PAGET said, in reply, that it was the intention of the Admiralty to appoint Mr. Reed as Chief Constructor of the Navy. That gentleman had recently been employed in the construction of a vessel according to his own invention, and had done his work extremely well. He was originally brought up in the School of Naval Architecture, and would be, in every respect, a proper successor to Mr. Watts. No reflection was intended to be cast upon the character and ability of the excellent officers to whom his hon. and gallant Friend had alluded. The duties of the Chief Constructor required for their performance a man of very active habits, and those gentlemen, although very eminent, were rather old.

VISCOUNT SYDNEY AND MR. BUDDEN.

PERSONAL EXPLANATION.

LORD CLARENCE PAGET said, while he was up he would ask the permission of the House to make a statement which he had been asked to make by the Lord Lieutenant of Kent (Viscount Sydney) in reference to observations which fell on the previous evening from the noble Lord the Member for Huntingdonshire (Lord Robert Montagu). The noble Lord stated to the House that a certain gentleman at Chatham, named Budden, was appointed to a captaincy in the Kent Volunteers in consequence of an application from him (Lord C. Paget), and in consequence of his having given a dinner to him (Lord C. Paget) at Chatham. The Lord Lieutenant was very anxious that that misstatement should be rectified. He (Lord C. Paget) had made no application to the Lord Lieutenant. He (Lord C. Paget) knew nothing of Mr. Budden, beyond that he was a highly respectable gentleman belonging to Chatham. He did not know that he was connected with the Volunteers. Lord Sydney stated that he was originally applied to by a deputation headed by the clerk of the peace, to appoint Mr. Budden to a captaincy to command the local corps. It happened, however, that Mr. Budden was employed under the Government in reference to canteens, and Lord Sydney, therefore, thought it desirable that he should not be appointed to a captaincy. Subsequently, however, Mr. Budden became High Constable of Chatham, and Lord Sydney was again applied to, he (Lord C. Paget) believed by all parties — of all sorts of politics—to give the appointment to him. The office of high constable was, he believed, equivalent to that of mayor. Lord Sydney, under these circumstances, gave the appointment to Mr. Budden, on the earnest recommendation of the townspeople. Lord Sydney wished it to be stated that he never had received any request for the appointment from him (Lord C. Paget), and he could only give his word of honour that he never applied to Lord Sydney in reference to Mr. Budden. Connected with the same matter there was another statement which, coming from the quarter it did, he might perhaps pass unnoticed. He (Lord C. Paget) was accused of having gone down to a dinner at Chatham for political purposes—

MR. SPEAKER: The noble Lord (Lord R. Montagu) to whose statements the noble Lord is referring, is absent, and it is the practice of the House not to allow statements to be made to which the Gentleman charged has no opportunity of reply.

LORD CLARENCE PAGET: I can only state that I went to a dinner—

MR. SPEAKER: I think the noble Lord must not continue.

LORD CLARENCE PAGET said, that in obedience to the ruling of the right hon. Gentleman, he would take another opportunity of referring to the matter.

STATE OF NEW ZEALAND.

QUESTION.

COLONEL WILSON PATTEN said, he wished to ask the Under Secretary of State for the Colonies, Whether there is any truth in the report that Sir George Grey has tendered his resignation of the Government of New Zealand, unless more troops are sent there?

MR. CHICHESTER FORTESCUE said, that the report was entirely without foundation. Sir George Grey had not applied for more troops. The prospects of peace in New Zealand, he was glad to say, had improved, and were improving.

GAME LAWS (IRELAND).—QUESTION.

MR. HASSARD said, he rose to ask the Chief Secretary for Ireland, If his attention has been called to the 4th section of the Act 27 *Geo.* III. (Ireland), c. 35, which prohibits any person from buying or selling a hare between the first Monday in November and the first Monday in July, and if he intends to take any steps to amend said Act?

SIR ROBERT PEEL said, that the clause had been submitted to the Law Officers, but he had not yet received their Report.

THE TRANSPORTATION COMMISSION.

QUESTION.

Sir JOHN WALSH said, he wished to ask the Secretary of State for the Home Department, Whether he can inform the House when the Commission on Transportation and Secondary Punishments is likely to make its Report?

Sir GEORGE GREY said, it was impossible for him to give any information as to the time when the Commission on Transportation and Secondary Punishments was likely to make its Report. The Commission was prosecuting its inquiry with due diligence, and he had no reason to suppose there would be any delay in presenting the Report, nor did he think the inquiry would be very protracted.

TENURE OF LAND.—QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Chief Secretary for Ireland, Why a Return, moved for on the 1st of August, as to the Tenure and Improvement of Land Act, has not been presented?

Sir ROBERT PEEL replied, that it was necessary that the Orders should be moved again this Session. As soon as that was done, the Return would be produced.

UNDERGROUND RAILWAYS.

QUESTION

Sir GEORGE BOWYER said, he wished to ask the President of the Board of Trade, Whether the attention of Government has been directed to the effect of Underground Railways in the Metropolis on buildings in the neighbourhood of the lines, and whether the Government will take the subject into their consideration?

Mr. MILNER GIBSON said, it was presumed that Parliament, when it passed a Railway Act, inserted such clauses as were necessary for the protection of public and private interests. He supposed that parties injured would still have a right to maintain an action for damages. That, however, was a question which ought more properly to be addressed to his hon. and learned Friend the Attorney General.

THE GALWAY CONTRACT.—QUESTION.

Mr. BAXTER said, he would beg to ask Mr. Chancellor of the Exchequer, When the Papers with reference to the renewal of the Galway Contract will be laid upon the table; and has the Government been apprised of any proposal on the part of the Atlantic Royal Mail Company to make, not Galway, but Liverpool or some other English port, the point of departure and arrival of their steamers?

The CHANCELLOR of the EXCHEQUER said, the correspondence between the Government and the Atlantic Royal Mail Company was already printed, and would be distributed immediately. The intention attributed to the Atlantic Royal Mail Company of sailing from an English port could only be expressed in the form of a proposal, inasmuch as it would introduce a feature altogether novel into the Contract, and he had not heard of any such proposal. A letter, however, had been received from a gentleman connected with the Inman line of steamers, stating that he had reason to believe the Company contemplated some plan of the kind. He had no authentic knowledge on the point, and only mentioned the circumstance to show that the Government were not keeping back anything within their cognizance.

POLAND—CONVENTION BETWEEN RUSSIA AND PRUSSIA.

QUESTION.

Mr. W. EWART said, he would beg to ask the First Lord of the Treasury, Whether any reliable account has been received of a Convention said to have been concluded between the Governments of Russia and of Prussia respecting the present state of affairs in Poland; and whether, in such a case, there would be any objection to communicate such information to the House?

Viscount PALMERSTON:—I believe, Sir, that some agreement has been entered into between the Russian and Prussian Governments with reference to the present state of affairs in Poland; and we are informed that the agreement goes to this extent, that the troops of one party shall be at liberty to pursue insurgents into the territory of the other, and that railway accommodation shall be afforded in case of need. I do not believe that the arrangement extends to the employment of force by one party in co-operation with the other. But we have not got the agreement, and all I know is the general report which I have mentioned.

WEST INDIES.—QUESTION.

MR. CAVE said, he would beg to ask the Under Secretary of State for the Colonies, Why a Paper respecting certain offices in the West Indies, ordered last March, had not been laid on the table, and when it is likely to be produced?

MR. CHICHESTER FORTESCUE, in reply, said, delay had arisen because the Paper necessitated reference to the West Indies. It was now ready, and would be presented immediately.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LABOUR IN EGYPT—POLAND.

QUESTION.

MR. DARBY GRIFFITH said, he wished to put a Question to the noble Lord at the head of the Government, in the interests of humanity. They gave their sympathy freely to residents in the Valley of the Mississippi; why should they refuse it to inhabitants of the region of the Nile? Forced labour was the great evil and curse of that country. It was slavery in its worst form, because the slaveowner had a direct interest in the health and well-being of his slave, whereas a ruler with despotic power obtained labour on his own terms, and was troubled with no responsibility as to the maintenance of the wretched people who were brought in chains to perform his tasks from a distance of from 200 to 500 miles. They were brought from the cataracts to the Delta of the Nile with cruel severity and compulsion. The new Pasha of Egypt, however, had announced his intention of abolishing forced labour there. But from the extensive works going on at the Suez Canal, and from the abundant supply of workmen which the system of forced labour procured, it was feared that the influence of France would be employed against the course announced by the Pasha. The French Government, there was little doubt, would be solicited by the shareholders of the Suez Canal to do all in their power to forward that undertaking, and to prevent the adoption of any course which would interfere with its progress. He wished to ask the First Lord of the Treasury, Whether the Government will afford their support to Ismail Pasha in the execution of his declared intention to abolish forced labour in Egypt?

VISCOUNT PALMERSTON: Sir, the Question of the hon. Gentleman, as I understand it, is, whether the present Pasha of Egypt has issued, or is about to issue, a decree to prohibit the employment of forced labour in Egypt, and whether that measure has the sanction, and, so far as may be proper, the support of Her Majesty's Government. We understand that the present Pasha, as soon as he came into authority, announced his intention of abolishing altogether the system of forced labour in Egypt; and, undoubtedly, the opinion of Her Majesty's Government is, that it is a very proper measure, that it is only extending to Egypt that rule which, ever since the accession of the late Sultan, has been the law of Turkey, and that its impartial application would be very desirable in Egypt. Such a measure would relieve the population of that country from a tax which presses very heavily upon them, and would contribute very much to the agricultural prosperity of Egypt, because a great number of people are taken away from their private affairs and from the cultivation of their fields, and of course the districts from which they come are left destitute of that labour which is essential for their proper tillage and cultivation. Therefore my answer is, so far as it may be proper for Her Majesty's Government to interfere in a matter which relates entirely to the internal arrangements of the Turkish empire, that it is our opinion that the intended measure of the Pasha is a humane, a just, and a proper measure, and is calculated to extend to the people of Egypt the same relief from compulsory labour which has, for a great number of years, been extended to the people in other parts of the Turkish empire.

POLAND—CONGRESS OF PARIS, 1856.

VISCOUNT PALMERSTON: While I am on my legs, perhaps my hon. Friend the Member for Tiverton (Mr. Denman) would allow me to answer by anticipation a Question which he has given notice he would put to me, and which if I waited to answer late at night, the hon. Gentleman opposite (Mr. D. Griffith) might not then be in his place to hear my answer to his Question. My hon. Friend proposes to ask me whether Her Majesty's Government would produce any correspondence on the subject of Poland which took place between the Earl of Clarendon when he was employed at the Congress of Paris in 1856 and Her Majesty's Government. There was only one despatch received by the Earl of Clarendon at that time, and Her Majesty's Government have no objection to produce it if my hon. Friend will move for it.

CARRIAGE ROAD THROUGH HYDE PARK.

QUESTION.

VISCOUNT ENFIELD said, he had a Question to put to the First Commissioner of Works which was of importance to the inhabitants of the metropolis. The right hon. Gentleman last year introduced a measure to open a communication through Hyde Park between Bayswater and Kensington. His plan, however, met with serious opposition. There were financial difficulties in the way, because the road would cost £7,000; and engineering difficulties and difficulties of time, because it was clearly demonstrated by the hon. Baronet the Member for Finsbury (Sir Morton Peto) that the road would not be ready when the Great Exhibition was opened. His right hon. Friend withdrew his proposal, and brought forward another plan, which had the great advantage of costing only £2,000, and was readily made. That road combined the *maximum* of convenience to those who used it with the *minimum* of inconvenience either to foot-passengers in the Park or equestrians in Rotten Row. The close of the Exhibition brought with it the close of the road; but he was bound to say that the right hon. Gentleman kept faith with the House, because he had very distinctly refused to hold out any hope of continuing to keep the road open. He would now ask his right hon. Friend, Whether he would not reconsider his decision of last year, and permit the road to be again opened; because he believed the advantageous results of last year would be again realized, and that it would be of the greatest accommodation to the inhabitants of Bayswater and Kensington to have that means of communication open?

MR. COWPER said, he had long felt the amount of communication between the populous districts of Bayswater and Paddington on the north of the Park, and South Kensington and Chelsea on the south, to be such as urgently to require a public road; and that the concession of such a road was a question of time. It could not be expected that this increasing population would be long content to perambulate the eastern boundary of the Park and thus add two miles unnecessarily to their journeys. When the subject was first pressed upon his attention, he felt so much the importance of preventing business traffic from encroaching upon those parts of the Park which were set apart for the recreation of the people that he endeavoured to arrange that a road should be made, altogether distinct and separate from the other portions of the Park, and it was with that view that he proposed the plan to which his noble Friend had alluded, and which was brought before the House in the month of February last year. But there were many difficulties in adopting any permanent road at that moment, and it was almost impossible to get any plan carried into effect in time for the opening of the Exhibition on the 1st of May. He was therefore induced to adopt the alternative of opening a temporary road by appropriating a portion of the Serpentine Bridge and of Rotten Row to the use of carriages. He was entirely satisfied with the result of that experiment. His noble Friend only expressed the general opinion of those who frequented the Park when he said that the road provided what was wanted, without serious inconvenience to anybody. Now, therefore, that the subject must be again considered, they could not, in his opinion, do better than adopt the same line which experience had shown to answer so well. He would remind the House that he was asked, towards the close of last Session, by the hon. Member for Finsbury (Sir Morton Peto), whether he should continue the temporary road, and he stated, in reply, that he considered himself pledged to shut it up at the close of the Exhibition, and to that pledge he had most scrupulously adhered. Now, that the matter was again opened for consideration, he was quite prepared to say, that when the repairs should be completed which were now going on on the Serpentine Bridge, which required a coating of asphalt to prevent percolation of the water through the arches, it was his intention to re-open the public road in the same direction in which it ran last year, and he believed that road would provide the accommodation required with the least possible alteration in the general arrangement of the Park, and with the smallest possible impediments to future alterations and improvements. The surface of the road had not been changed; all that had been done was that the wire fence which the Messrs.

Morton, of Liverpool, had kindly lent for use during the Exhibition was taken away. It would now be necessary to put up the ordinary fence; but when that was done the road would be opened to hired cabs and carriages, but neither carts, omnibuses, nor other heavy traffic would be allowed to make use of it.

DISTRESS IN THE COTTON DISTRICTS.

OBSERVATIONS.

SIR LAWRENCE PALK said, he rose to call the attention of the House to the distress existing in the manufacturing districts, and to move an Address to Her Majesty praying that a Royal Commission may be issued to consider the best mode of obtaining a permanent supply of Cotton. From the statements which had been made in the House it would be seen that the distress in the manufacturing districts, which had prevailed now for so many months, was approaching so serious a height that it might be almost called a national calamity, and sooner or later must be dealt with as such. It had been stated in that House that during the last six months 500,000 persons had received relief, one half from voluntary contributions and the other half from the rates. It had also been stated that the voluntary contributions amounted to £1,400,000; that there had been borrowed on security of the rates in different unions £63,675, and all this was independent of an immense amount of private and local charity. From Australia alone had been received a sum of £46,630. It had been asserted that in the Union of Rochdale one out of every five of the inhabitants was receiving relief, and they had the evidence of the hon. Member for Carlisle (Mr. Potter), the President of the Chamber of Commerce at Manchester, to the effect that in the Glossop Union the rates had risen from £1,000 a year to £1,000 per week; while the entire rental of the union was only £65,000. That was approaching a state of things described by an hon. Member of that House during the Irish famine, when the poor rates in some districts amounted to 20*s.* in the pound. It had been also stated by the hon. Member for Rochdale (Mr. Cobden) that the sums received in the cotton districts for the relief of the distress amounted to £320,000, besides private contributions from millowners, to which must be added the loss of capital invested in mills and machinery, and the loss of wages to operatives, amounting, after making certain deductions, to no less a sum than £6,000,000. Did any hon. Member believe that Lancashire could bear, for one or two years longer, such a vast drain on its resources? It was obvious that some other remedy for the distress must be sought for than that which had been hitherto applied, for as the poor rate was raised the distress was added to; and thus in the Oldham Union 4,000 persons had been changed from ratepayers to rate-receivers. *The Times* newspaper, from which they took inspiration, had directed attention to this question, and had intimated that something else must be done besides feeding hungry men from borrowed money. He did not think that they could possibly expect another sum of £46,000 from Australia, or that this country would subscribe in another year such large sums as it had done in the present. He did not mean to say that sympathy for the operatives would be less, or that the admiration for their patience and forbearance in the sad struggle would be diminished; but facts were facts, and they could not always expect to see the labourers in Devonshire and Cornwall, who only received 10*s.* a week, coming down from their distant villages to the parish church to contribute to the maintenance of the Lancashire operatives. Nor, on the other hand, if they turned to the prospect of the cotton supply, could they find any grounds for hope. In 1861 they obtained from America 1,841,600 bales of cotton; in 1862 they obtained 717,666 bales; but it was estimated that during the present year they would not obtain more than 7,000. In 1861 they obtained from all sources 3,329,700 bales; in 1862 they obtained 21,234,316, and the estimated supply in this year was 2,343,900, being very little more than was imported at a time when they were not suffering from a deficient supply of cotton. They could not look with any sort of hope to a termination of the struggle in America. Battles were fought, and blood was shed, but neither side had gained a victory which gave any hope of an approaching termination of the contest. From statements in the public press it appeared in the South the same spirit seemed to actuate both the white man and the slave; and he believed, that if the black population were to become combatants, they would range themselves on the side of their masters, rather than with that other portion of society who made war on women, issued proclamations at which the world might blush, and only treated the black slave with contumely and oppression. There being no hope of the termination of the war, of increased production of cotton, or of the continuance of the large contributions hitherto raised for the relief of the distress in Lancashire, what then should be done? The present winter, it should be remembered, had been peculiarly favourable to the poor, and the rigours of climate had not been added to the difficulty of obtaining food and clothing; consequently it would be great good luck if the distress in Lancashire should not be worse in the ensuing year than in the present. What, then, could be done to ameliorate the state of things in Lancashire? Would it be right to attempt mediation? There was a time when that might have been done. He believed, that if the Powers friendly to America had at the commencement of the struggle impressed on the belligerents the folly and ruin of an intestine conflict, the Americans might have listened to the words of common sense and friendship; but, now that blood had been drawn, that one portion of the States was fighting for independence and the other for conquest and extermination, and the horrors of war had been felt on both sides, he doubted whether the Americans would listen to any mediation however friendly or however well urged. Would, then, this country be prepared to recognise the South as an independent government, and to free its coast from a blockade which brought ruin on our operatives, and which he believed was of a questionable sort, as he understood it had always been laid down by high authority that an efficient blockade could only be maintained by vessels able to prevent all ingress and egress? Now, within a very few days, accounts had been received from Charleston to the effect that for a certain number of hours at least the Confederate ships had driven the blockading force away and freed the harbour. It was quite true that after a short interval the blockading force returned to its original position, where it still remained; but the fact that it had been compelled for a time to withdraw proved how very weak the blockade was. The length of the period during which the blockade had continued, and its ineffective character, combined with its temporary cessation, certainly afforded good grounds for inquiring whether the moment was not rapidly approaching when it ought to be treated as nought. From that source, however, there was no immediate prospect of a supply of cotton. The cotton manufacturers had been repeatedly blamed for not having used greater exertions to procure a supply of raw material. But, first of all, it was necessary to have full and accurate information as to the production of cotton in different parts of the world; and that information ought to be collected by means of a Royal Commission. The Glasgow Chamber of Commerce last autumn urged the Government to appoint a Commission; and subsequently, in presenting an address to Mr. Laing, they declared that they remained of opinion that the course suggested by them was reasonable and expedient, and that it was the duty, no less than the interest of the Government, to have issued a Commission of Inquiry. The noble Lord, in replying to the memorial, through his Secretary, Mr. Ashley, in September, 1862, expressed his regret that he could not comply with the request to appoint a Commission, as he held that the questions involved must be considered and determined by those interested; that it was undesirable the Government should interfere with the arrangements of merchants and manufacturers in the conduct of their mercantile transactions, and there was no more reason why the Government should interfere with arrangements in regard to cotton than that they should interfere with those affecting corn, timber, or any other article of commerce. As far as the principle of that answer went, it was sound and statesmanlike, but there were exceptions to every rule. The noble Lord would, no doubt, recollect that some years ago, when the agricultural interest was thrown into a state of great distress by certain alterations in the policy of the country, large loans were offered by way of relief to landed proprietors for the improvement of their estates. That measure had, he believed, been attended not only with immediate, but permanent benefit both to the agricultural interest and the country at large. He was disposed to hold that a loan might now be made, with equal justice and success, for the purpose of promoting the cultivation of cotton in some colony where there was a reasonable prospect that it could be produced of good quality and at a cheap rate. The information which was required in order to determine which colony was best adapted for that purpose, could be obtained more effectually by a Royal Commission than by a Committee of the House. Many men of great practical experience would be excluded from the latter who would be eligible for the former. Hence the Report of a Commission would carry with it greater weight. The first thing to do was to endeavour to obtain the best and the most reliable information as to where cotton could be grown; and if a loan should be required for the purpose of obtaining a supply of cotton, it would be wise and prudent, and common justice, that a loan should be granted by the Legislature. The importance of an accurate knowledge of the state of affairs in their distant possessions was proved by the mischance which had ocurred at Sedashegur. The Manchester Cotton Company had despatched a vessel to that place, relying on the statement of the right hon. Baronet the Secretary for India, that a pier and roads would be constructed by the time the vessel arrived. On the contrary, however, when the ship reached its destination, there was neither pier nor road to be seen. The company had therefore been misled by the incorrect information which the right hon. Baronet had given, of course unknowingly. The right hon. Gentleman had, however, recently stated at Halifax that it was owing to the prevalence of fever that the works were delayed. With regard to a supply of cotton from the colonies, Sir George Bowen, the Governor of Queensland, had repeated in one of his despatches that that part of Australia was admirably adapted both in soil and climate for the cultivation of the most valuable description of Sea Island cotton, and that the practicability of obtaining good crops there had been proved by several successful experiments. Mr. Bazley had expressed the highest opinion of a sample from Queensland, valuing it at 1*s.* 3*d.* a pound. He believed, that if it could once be proved that cotton could be grown either in Queensland, or in any other British colony, at a profit, little or no support would be required from the Government, for the public would be only too anxious to invest in any undertaking which promised a profitable return. There was another place where, as he was informed, cotton could be grown with great facility. He alluded to Jamaica. Indeed, he entertained little doubt that in many of the dependencies of Her Majesty, cotton could be successfully cultivated by free labourers. Some colonial cotton had already been tested, and he held in his hand a bit of cotton cloth manufactured from wool which gained the first prize at the International Exhibition, and which was approved by the authorities at Manchester. He would not delay the House by enlarging upon the credit and honour which would accrue to England if the foul blot could be removed from her of encouraging the slave trade by confining her purchases of cotton to South America. That question, however, was perhaps rather one for the philanthropists than for that House. For himself, he had no interest in the matter, except an earnest desire to mitigate the distress in Lancashire; and if he could persuade the House to take some steps in the direction he had indicated, thereby encouraging the production of free-grown cotton, he believed great benefits would result to the whole country. Whether the House would grant a Royal Commission, or whether it would prefer to submit the question to a Select Committee, he knew not; but his only object was that an inquiry should be speedily instituted, and that no effort should be spared to obtain that supply of cotton upon which depended the comfort and happiness—he might almost say the existence —of our Lancashire operatives. The hon. Baronet concluded by moving for the Address.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that a Royal Commission may be issued, to consider the best mode of obtaining a permanent supply of Cotton,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. MILNER GIBSON: Sir, the hon. Member for South Devon (Sir Lawrence Palk) has asked the House to present an Address to the Crown to appoint a Royal Commission to inquire into the best mode of obtaining a permanent supply of cotton wool. Before, Sir, I offer an opinion as to the course which it is desirable to take on this Motion, I wish to remark upon some of the observations that fell from the hon. Baronet at the commencement of his speech. I have no doubt that the hon.

Baronet has given us a correct narrative of the distressed condition of those parts of the country to which he has directed his inquiries. I can only say for myself, and I believe I may also speak for every Member of this House, that we join with him most entirely in the deep sympathy he has expressed for the distress which he has described to us. In the Speech from the Throne that feeling was expressed, and was responded to by the House. In fact, Sir, it would be impossible for any one in this House—for the Government, or for any portion of the intelligent population of this country, to feel otherwise than deep interest in the condition of so important an industry as the cotton industry, that has contributed so greatly to the wealth and prosperity of this country, that employs so large a number of our population, that causes so great an amount of capital to be distributed amongst the operative classes, and that gives us so large a portion of our export trade. It furnishes forty per cent of our export trade in ordinary times, and even in the present time it represents thirty-three per cent of the whole export trade to foreign countries. It is unnecessary to say more than that we entirely concur with the hon. Baronet in those feelings he expresses of deep interest in the future fortunes of the cotton industry. But, Sir, the remedy which the hon. Baronet proposes is one I think that is very questionable. I doubt whether we ever had a Royal Commission analogous to that proposed by the hon. Gentleman. The meaning of a Commission is, that there is a practical evil for which a remedy is asked, and that there are means at the command probably of the Government or of Parliament to obviate that evil. Now, I cannot understand that any Report which a Royal Commission could make would justify the Government in undertaking, or would in fact give Parliament reason to undertake, by direct encouragement, the cultivation of cotton, either by advancing money or commencing operations as cotton agriculturists or cotton traders. I do not know what acts of the Executive or what laws of Parliament would be likely to follow, consistently with free trade policy, which Parliament has adopted, if this Commission were granted. The facts that this Commission would lay before the House are already fully in the possession of the House; and, I believe, have been extensively circulated throughout the country. Some time since the Cotton Supply Association, to which the hon. Baronet referred at the outset of his speech, was formed, and at the outset of its career put itself into communication with the Foreign Office. The Foreign Office complied with their request that the Foreign Secretary would instruct the British Consuls in various parts of the world to reply to any queries relating to the probability of growing cotton in different countries which that association should think necessary to be sent out. The Foreign Office accordingly sent circulars to Brazil, Egypt, Turkey, and other places, at the instance of the Cotton Supply Association, and I believe the Earl of Malmesbury went the length of recommending that the Treasury should give some pecuniary aid, which, I think I am correctly informed, was afforded by the Treasury for the purpose of defraying the expenses incurred by the Cotton Supply Association in growing cotton experimentally in different countries. From the outset, when the Earl of Clarendon was Foreign Secretary, until Earl Russell held the seals of office, every endeavour has been made to co-operate with the Cotton Supply Association, for the purpose of procuring from foreign countries any information that possibly could be acquired to afford facilities for getting a supply of cotton. I contend that a Commission could do nothing that has not already been done. There is no mystery, no contested point, into which a Commission could with any hope of advantage institute an inquiry. In fact, the hon. Baronet has not clearly explained whether the Royal Commission which he would have appointed is to take evidence here, or is itself to travel to all those various countries—to Africa, to Brazil, to India, and even to the Fejee Islands—and locally investigate the capabilities of these different countries for the growth of cotton. Such an inquiry as that would have a very lengthened duration, and would, I think, be a cause of great regret, in consequence of the delay that would arise, even to the hon. Baronet himself. Now, I know it may be said that it can do no harm to inquire—it can never do any harm to inquire—and that in the present condition of the manufacturing districts it would be ungracious not to accede to a proposal for mere inquiry, and that therefore the Government ought to agree to the appointment of the Royal Commission, because, if it can do no good, it can do no harm. Now, Sir, it seems to me that it would be unbecoming in the Government to agree to the appointment of a Royal Commission on such an understanding. There ought to be some definite benefit and practical good to be obtained, and one which there appears every probability of arriving at before a Commission is appointed. But is it really true, I will ask, that the appointment of a Commission would do no harm? I, for one, am not of that opinion. On the contrary, Sir, I am afraid that if a Commission were appointed, such a step might lead to the impression out of doors that the Government or Parliament was about to take upon itself, either by means of a bounty or otherwise, the promotion of the cultivation of cotton. If such a feeling were spread through the country, the effect would be that the enterprise which is now beginning to manifest itself would be paralysed, and that undertakings now about to commence would be suspended, until parties had had an opportunity of seeing what was to be the course of action taken by Government and the Parliament. Therefore, I think that itself is a reason why the Government should not listen to the argument that a Commission of Inquiry would be a harmless proceeding if it could do no good. The hon. Baronet has mentioned several places from which cotton might be procured, but from whence he seemed to infer that it was necessary that further information should be obtained. Amongst these he mentioned Queensland and Jamaica. Now, it happens that two companies which have been recently formed with considerable capital, and supported entirely by private enterprise, are companies for the purpose of growing cotton in Queensland and Jamaica, these being two of the places which he mentioned to which a Commission should be sent for the purpose of obtaining information. The formation of these various companies for the promotion of the cultivation of cotton is a proof that the attention of capitalists is being directed to this channel for the employment of capital. These companies would, no doubt, be seriously injured if it were understood that as a result of the investigation of a Commission, Parliament was to interfere and come into competition with private and unaided enterprises. Sir, there is abundance of capital and there is no lack of enterprise in England to undertake what is necessary to supply the wants of the country. Capital will find its way wherever there is a field for profitable enterprise, and I certainly shall maintain that it is not the province of Government or of Parliament to undertake the supply of any article. I am quite sure that if, during the time of the agitation of the Corn Law question in this country, any hon. Member had proposed that a Royal Commission should be appointed to inquire into the best means for obtaining a permanent supply of food, those Gentlemen who were advocating free trade as the best course for procuring that permanent supply would have offered the most determined opposition to any such proposal. I hope, therefore, that for the reasons I have given the hon. Baronet will not press this Motion to a division, and I think he may be contented with having raised a very useful discussion. I think the House will be of the opinion that no practical benefit could be derived from the appointment of a Royal Commission such as has been proposed. Upon the question of India, my right hon. Friend the Secretary of State is prepared to say whatever is necessary in defence of the particular proceeding that refers to the road leading from Sedashegur. I am not aware of the particulars of that affair, but, generally speaking, with regard to India and its capacity to produce cotton, there appears to be no lack of information. We have three valuable works relating to the three Presidencies, called the *Cotton Handbooks*, giving a most elaborate description, and containing the most particular information as to the various parts of the three Presidencies, the actual condition of the cultivation of the soil, and the possibility of extending the growth of cotton throughout these three Presidencies. There can be no want of information in regard to our power of growing cotton in India. It may be possible, indeed, that obstacles may be removed by the Government, and that changes may be effected which would prevent the growth of cotton being impeded. In fact, the Committee which was appointed some years ago, and of which my hon. Friend the Member for Birmingham (Mr. Bright) was Chairman, reported that with the encouragement that was then being given by Government by the removal of all obstacles to successful cotton growing in India, there was every probability that eventually a considerable supply of cotton suited for the English market would find its way to England from India. Sir, I am afraid that there is something more necessary than the mere supply of cotton, for I believe it is not only a question of quantity, but a question of price. It is my opinion, that unless the price of cotton is fixed at such a rate as to enable the manufacturer to sell the manufactured articles themselves at a rate so as to reach the poorer classes in the various countries to which they are sent, it is not likely that we shall continue to have that extensive trade in cotton manufactures that has hitherto existed. You may get abundance of any article if you choose to go to the price requisite for its production, but what is necessary for the support of this great industry is an abundant supply of cotton at a cheap rate. It is the cheapness of the raw material that has caused our cotton manufacture to acquire the great dimensions that it has possessed, and without which I fear it will never become so extensive again. Seeing that the great cotton manufacturing system has grown up directly by individual enterprise, by the unaided effort of enterprising men—seeing that it owes nothing to legislative protection—I very much doubt whether it is likely to be revived from its present unfortunate position by any legislative protection. It will be revived, I have not the slightest apprehension, by those same means that caused it to grow up to the great magnitude to which it has attained. By leaving to individual effort and the operation of the law of supply and demand the provision of the markets of this country with cotton, as with all other articles, we shall be pursuing the course which will be most advantageous for the interests of the country, and especially for the interests of that industry whose cause the hon. Baronet has undertaken to plead.

Amendment, by leave, *withdrawn.*

DISTRESS IN IRELAND.

OBSERVATIONS.

MR. MAGUIRE :—Sir, the attention of Parliament has been already frequently engaged during this Session in the consideration of distress prevailing in the Lancashire district ; but there is another portion of the Empire in which distress of a grevious nature exists, and which is justly entitled to the consideration of this House. Much soreness has been felt and expressed in Ireland, that while in Speeches from the Throne allusion has been made, last year and this year, to the state of things in Lancashire, no notice whatever has been taken of the distress which last year was generally felt in many counties in Ireland, and is this year far more general and severe, in consequence of three successive bad harvests —in fact, three failures of the staple industry of that country. English Members, to understand the case of Ireland, must consider that there is no possible similarity in the circumstances of England and Ireland. While England, happily for herself, has many industrial resources, Ireland, may, as a rule, be said to have but one—that is, her agriculture—raising from the soil its various natural productions. With the exception of a few branches of manufacture, one of which is confined to a certain district, she has scarcely anything to depend upon save her agricultural industry ; and if that fail, as it has for the last three years, the consequence must be severely felt by all classes of the community. During the last three years, unfortunately, Ireland, instead of advancing as other countries have done, has retrograded in material prosperity, in live stock, and in agricultural produce. This is proved beyond doubt by the Returns supplied by Government, and whose general accuracy has not been questioned. In the quantity of land under cultivation there has been a serious falling-off. The number of acres under cultivation in 1841 was 7,000,000, while in 1862 it was but 5,751,195, showing a decrease of nearly a million and a quarter acres. Comparing the year 1862 with the year 1861, the decrease in the number of acres under cultivation was 138,841. The decrease in the value of live stock in the same year, as compared with the year previous, was £1,564,710. Comparing the year 1862 with the year 1859, when the condition of the country was comparatively prosperous, the falling-off is somewhat fearful. In 1859, the value of live stock was £35,368,000, and in 1862 it was £31,204,000—showing a decrease of no less than £4,164,000. Another most important fact must be taken into consideration with respect to the downward progress of the country. Ireland, instead of being a grain-exporting country, has become a grain-importing country—instead of raising sufficient food for her people, and being able to send a large surplus to the markets of this country, she has come to depend for her own supply upon corn imported from abroad. Thus, in the year 1861 Ireland imported foreign corn to the amount of more than £6,000,000, while her exports were but £2,000,000 of her own produce. I have not the exact returns for last year; but assuming, which is not probable, that a less quantity was imported in 1862 than in 1861, and that I set it down for fear of exaggeration at but £4,000,000—it is clear that Ireland has, in two years, imported for her own use no less than £10,000,000 of foreign corn. Add to this the melancholy fact that she has lost in three years live stock to the amount of £4,164,000. If these facts do not show that Ireland is steadily going back, then, Sir, I do not know what value there is in figures. During the recess a distinguished Member of this House, writing under the signature "M.P." in one of the London morning papers (*The Star*), expressed his wonder how the people of Ireland paid for these enormous imports. The fact is, they were, as I have shown, paying for them out of their capital, instead of out of their income—in other words, they were eating up their substance. A few nights since, the annual Lord Mayor's banquet was given in Dublin. On that occasion, the Lord Mayor used these words—"The bad harvests of the last three years have produced great calamities in this country." The Lord Lieutenant has been, for a long time, accustomed to describe the state of the country in rather roseate hues, but during the last two years he has been obliged to dip his pencil in more sombre colours. In his speech on that occasion, his Excellency spoke as follows:—

> "On some previous occasions it has been my good fortune in this place, and on these occasions, to dilate upon the favourable condition and satisfactory aspect of the country. On some previous occasions, I say, it has been my good fortune, without contradiction or objection to do so. Last year I was not enabled to take so sanguine a view, and this year I feel more strongly, in common with the Lord Mayor, who has already addressed some observations to you on the subject, that three moist and ungenial summers have left their traces upon the land and upon those who live by it. I concede that it is impossible to deny that considerable pressure now rests upon most of the agricultural classes. It has not, I am proud to think, made them indifferent to wide-spread distress in other quarters, and I trust that they will find such alleviation as may be requisite in local benevolence and in local exertions, whether in the form of increased attention to drainage or other methods of agricultural improvement. . . . . The city of Dublin has naturally had its share in the pressure of the times which has been felt by the country at large."

Now, Sir, it is because I believe that "local benevolence and local exertions" cannot meet the necessity of the case, that I venture to submit this statement to the House; and I think I can show, by indisputable evidence, that the condition of Ireland is such as to demand not only the sympathy of Parliament and the country, but the active interposition of the Government. I shall read a few lines from a letter addressed by a wholesale firm in Dublin to the Mansion House Committee, on the 20th of January, enclosing a subscription. The letter is from Thomas Downy and Co., and contains this passage—

> "We have had a long business acquaintance with all parts of Ireland, and the writer traversed the land in its length and breadth for many years by modes of conveyance which gave an opportunity to become acquainted with its state and condition, whilst of late we have regular reports from our agents and others. The reports this season, with the state of trade, satisfy us that excepting the famine years of 1847 and 1848, there is, and will be, more difficulty felt by the small farmer in paying his rent, tilling and cropping his ground, by the small shopkeeper in meeting his engagements, and by the labourer and artisan in supporting themselves and families, than there has been for many, many years."

That is the letter of a practical man, who is thoroughly acquainted with the state of the country. The Mansion House Committee issued an address, and depicted a gloomy state of things. Now, I may here remark that so impressed was he with the existence of the distress represented by the Committee, that Her Majesty's Attorney General for Ireland sent a letter of sympathy, in which he enclosed a cheque for £25. The Committee in their report say—

> "Having thus shown that population and agricultural production were largely on the decrease last year, we turn in vain to any branch of industry, trade, or commerce which would indicate a result less discouraging. The savings banks, the loan fund, the pawn office, unerring tests of popular comfort or depression, the county courts —where ejectment and civil bills, for small sums, are tried—the bankrupt court, personal and real property, funded property, our banks, our railways, our few branches of manufacture, our trade, our commerce, the condition, singly as well as cumulatively, of every industrial and mercantile interest in the country, indicates a depression such as had not been reached in Ireland since the close of the famine period. One important element, however, has considerably increased, and that is taxation."

The last sentence contains a most important allusion—to the rapid increase in the taxation of Ireland; but, as my hon. and gallant Friend behind me (Colonel Dunne) intends to bring that subject specially forward, I shall not in any way allude to it now. Nor, indeed, shall I be induced to travel for one moment from the object which I now have alone in view—to prove the existence of severe and wide-spread distress in Ireland. I have received a short and pithy letter from a Protestant Gentleman, Captain Knox, Proprietor of *The Irish Times*, who takes a most creditable part in endeavouring to promote the relief of distress in the country. Writing on the 13th of February, he says—

> "In the course of my business I am brought into contact with persons of almost every class and of every shade of politics, and I have no hesitation in saying that for years past there has not been so much stagnation in trade, and destitution in the country, as exists at present. While the spring work will, to some extent, though in a very small degree, relieve the labouring classes, it will do but little towards ameliorating the condition of the small landholders and small shopkeepers. The present state of this country demands the earnest attention of the Government; or, if they continue to pursue the policy which they have hitherto adopted on this question, then I trust that the Legislature will see the necessity for some action being taken. What is greatly to be feared is, that these periods of distress will not only completely impoverish the country, but that they will become chronic.

Having quoted a Protestant authority, I may now quote an eminent Catholic authority; and few, if any, know the condition of Dublin more accurately than the Most Rev. Dr. Cullen. I shall only read the following extract from a letter dated the 18th February:—

> "I regret to state, in reply to your queries, that there is great and general distress in Dublin. The Sisters of Charity, who are constantly engaged in ministering to the wants of the poor; the gentlemen of the Society of St. Vincent de Paul, who occupy themselves in the same work of benevolence, and the parochial clergy, who are called at every hour to visit the resorts of misery and sickness—all agree in stating that the destitution now prevailing, is almost equal in extent, and intensity, to that of the years of famine. Vast numbers of poor people, driven from their little holdings in the country, have come to seek for the means of existence in Dublin, and have thus increased the amount of misery, which was already very great. In the mean time there is little employment for the labouring classes; trade is bad, and the shopkeepers and merchants have suffered a great deal in their business on account of the general want of money in the country, occasioned by three bad harvests. In every part of the city you meet with thousands of poor people evidently suffering from the want of food, and almost naked. Indeed, there is more misery in Dublin, under the care of the British Government, than you could discover were you to examine all the poorest towns of Belgium, France, and Austria. The people of Rome would be horrified were they to see so many barefooted women and children as are met with every day in Dublin . . . . The population is greatly reduced, the agricultural produce is considerably diminished; whilst the country is so far from becoming "the mother of flocks and herds," as some political economists would wish her to be, to the destruction of human beings, that the value of live stock is now less by several millions than it was some years ago."

I shall now glance rapidly at other portions of Ireland. As to Tipperary, the Most Rev. Dr. Leahy thus describes its condition in a sentence—

> "The distress is much worse than last year, and cannot be questioned, is not questioned, by any but those who, for sinister purposes, deny open facts."

As to Limerick, my hon. and gallant Friend the Member for that county (Colonel Dickson) has already described it to the House, while corroborating my statement on the first night of the Session; and my hon. and gallant Friend the Member for the City of Limerick (Major Gavin) has, on more than one occasion, assured me that he has seen sights of misery and horror, within a few miles of the city, such as he had not witnessed for ten years previously. I might adduce the testimony of a distinguished Member of this House—the Member for Horsham (Mr. Seymour FitzGerald)—who informed me that he was in the constant receipt of intelligence from the counties of Limerick and Tipperary, which described the condition of those counties as most appalling. I have the authority of the hon. and gallant Member for Roscommon (Colonel French) for saying that nothing worse than the present state of things has been in his county since the famine; and my hon. Friend, the junior Member of the county (The O'Conor Don), who has just left to discharge his duties as High Sheriff, fully corroborates that statement. Again, a meeting was to have been held yesterday in Sligo, to take into consideration the distress of the county. The county of Galway and the city are also in a sad condition, but it is unnecessary to enter into details. In Kerry the distress is so goading and keen, that it occasioned some opposition to the movement for the relief of Lancashire. The state of things was bad in Kerry last year, but it promises to be much worse this year. Now, turn to the county of Cork, and first to its Western districts. I have several letters in reference to various districts, but I shall only quote from one, especially as it describes what is common to the entire. The Right Rev. Dr. O'Hea, the Catholic Bishop of Ross, thus writes on the 16th of February, from Skibbereen—

"The labourer and the tradesman have had no employment. Some of that class have taken refuge in the workhouse with their families, and have thus forfeited any claim to the wretched cabins in which they lived. Others hold on to their little dwellings, struggling hard against every sort of privation. It is not unusual with them to come to me after a fast of twenty-four hours, craving for one meal for themselves and their families. Every morning the Sisters of Mercy, at their convent, give a breakfast to some thirty children; and it is my conviction that many of those young creatures must rest satisfied with that one meal. Distress, pinching distress, prevails in this town, and is likely to prevail until next harvest . . . . There is another class here worse off than those to whom I have alluded; for they are indeed ashamed to beg, and to ask even for temporary relief. I mean the class of small farmers, and that class includes many in this part of the Carberies. It is a mystery to me how they have struggled on to the present. I cannot believe that they can hold on much longer. They will not be able to seed their little holdings; consequently, next harvest can bring them no relief. They have no credit to get from the merchant. They have already parted with the horse, the cow—often the very furniture of their houses has been sold. Every other available article has been lodged in the pawn-office. They are reduced to the last extremity, living on turnips, for these are the cheapest kind of food. To know the reality, it would be necessary to visit their houses, and see things with one's own eyes. . . . . Should there be a cessation of hostilities between the Northern and Southern States of America, it is my conviction that half the population of Ireland would be across the Atlantic in a few months."

I now turn to the better-circumstanced districts of the County Cork, and quote the following important letter from the Right Rev. Dr. Keane, the Catholic Bishop of Cloyne, who is thoroughly conversant with the condition of the people of his diocese. Writing on the 18th of February, he says—

"I regret to be obliged to say that there is great and general distress. At the end of three successive bad harvests, the last the worst, it could not be otherwise. In dry limestone districts, the potato crop was good in quantity and in quality; but in wet and retentive soils, the produce, in every instance short, often failed to cover the expense of cultivation. The corn crop was, on the whole, perhaps the worst ever known. On the most favoured lands, the wheat, as a rule, was scarcely half, and in many instances less than half, of a fair average; while the barley and oats were either worse, or did not ripen at all. Towards the end of October, there were, in various places, fields of corn lodged and blackening, on which day after day heavy rain continued to fall. To the poorer farmers the extent of loss cannot be overrated. The result to them and to others is, that they have neither money nor credit; the shopkeepers are without business; and the tradesmen and labourers are not employed. It is not easy to explain how the working classes, dependent on occasional labour, have got over the last four months. On the countenances of the children attending school may be noticed, as during the famine of '47 and '48, unmistakable proofs of destitution and of hunger."

In his Lenten Pastoral, the Bishop has this most touching passage—

"We regret, beloved brethren, to be forced to say, that Lent, or no Lent, fasting will be this year the rule for the greater number of the working classes. In the midst, then, of the saddening statements made to us by those who thoroughly understand their position, we need not exhort them to the practice of fasting, which has already become a matter of stern, unadvoidable necessity."

As to the city of Cork I shall only quote a line from the last report of the Vincent Society, who really constitute a most important institution through which the best form of out-door relief is administered. Their last year's expenditure was £1,754, or £500 over the average. The report says:—"Unfortunately, we are now entering on a year of still greater destitution." I think, Sir, I have now adduced sufficient evidence to show, that if the operatives of Lancashire deserve the sympathy of this House, the sufferings of the people of Ireland equally deserve their sympathy, as well as the respectful and earnest consideration of her Majesty's Government. After three bad harvests, and the last the worst of the three, what else could there be but a state of great destitution in the land? I solemnly believe, that if Ireland should unfortunately have another bad harvest, in succession to those which we now deplore, the people will be reduced to such a condition, that they will take the first opportunity to flee from its shores in masses. Now, some Gentlemen may think it better that the population should leave their native shores in that manner; but for my part I should view it as a great calamity—a great calamity for Ireland, and a great calamity also for the Empire. Sir Robert Kane proved, when Ireland had more than 8,000,000, and perhaps 9,000,000, of inhabitants, that the land, if properly cultivated and its resources duly developed, might support a much greater population than that. I think his calculations went nearly to twice that number. It is sad therefore to think that a much diminished population should have no other resource but in quitting their native land. I hold, Sir, that the people of Ireland are as fully entitled to the consideration and assistance of the Government and the country as the people of Lancashire, who, I need not say, have had my warmest sympathy. The suffering in Ireland arose from natural causes, not from the passions of man; and why, therefore, because Providence, for its own wise ends, has again grievously afflicted them, are they not as much entitled to sympathy as if their sufferings arose from the consequences of a war in a foreign country? The suffering of Ireland has arisen from no overtrading, but is due to causes quite as much beyond the control of those who have to endure it as the cotton crisis in Lancashire. It will be no answer to me to say that in some unions the rates are still apparently moderate. In many they are high; but were they apparently moderate in all, it would be really no answer to my statements. The hon. Member for Rochdale (Mr. Cobden), the other night, said, he should deplore any great increase of the poor rates in Lancashire, because it would drag down many of the ratepayers to the level of the paupers. The same remark would apply to Ireland. In districts where the rates appear comparatively low, they yet fall with crushing weight upon the small farmers, and even upon the shopkeepers, whose resources have been greatly reduced, and who, in fact, have scarcely the means left of supporting themselves. Nor has the distress by any means reached its height. It is a cruel policy to throw a people upon their unaided resources; when those resources are so fearfully diminished by three successive failures of their staple industry. There will be, to a certain extent, relief afforded to the labouring class by out-door employment during the next month or two; but from the month of May to the month of September, when the harvest will be got in, I am afraid the sufferings of the people will be fearful. The effect already has been terrible. Country towns, once the seats of happiness and prosperity, are literally collapsed, and trade is in those towns utterly annihilated; and if things progress in the same sad direction, the result will be that half the towns in Ireland will become in a short time heaps of ruins. Sir, if the Government are satisfied that the state of things in Ireland is such as has been described in the statements which I have quoted, they are bound in some way or other to come to its rescue. I may be asked, what are they to do? Well, it is I who ask the Government if they have in their contemplation any remedial measure—for I can assure the right hon. Baronet that his Registration Bill is not a measure of relief, and will do nothing to meet the difficulty of the times. The Drainage Bill of my hon. and gallant Friend (Colonel Dickson) will, no doubt, effect much good; but even it, if now passed, could not afford immediate relief. I still could suggest that much could be done, were there the desire to do it. For instance, in many parts of the country, fishing, which is an important branch of industry with the large coast population, cannot be carried on in safety in consequence of the dangerous and unprotected nature of the coast; why should not small harbours be made or improved, and piers be made in such localities? Then there is another description of useful work, which would be of enormous advantage at this moment. I am told that in certain districts of Ireland distress does not prevail—why? Because a railway is being carried through, and it affords extensive employment. Now, in consequence of the prevalent depression, railway enterprise languishes in many districts, and the works are still unproceeded with. I could point out two in my own county, which would pass through poor districts—from Cork to Macroom, and from Bandon to Skibbereen—and which would be of great benefit to the districts through which they are to pass. Are there, then, no railway enterprises in Ireland which could be stimulated by being assisted? Surely, by lending money on easy terms, such undertakings could be materially promoted. Why should not the Government aid in giving life to these languishing enterprises—which are good for all classes and for all interests—good for the country, and good for the empire. Then, there are works which the Government may themselves undertake in various localities. But why enter into particulars? If the Government are convinced that distress exists in Ireland, and are in earnest in their sympathy, the means of affording relief could be found. In the other House, a few nights since, the Pope's Government was taunted with the defect of being a "paternal" government. Well, Sir, I confess I should prefer a little more of the paternal in the dealings of our Government with the people of Ireland in the hour of their necessity; and I sincerely trust that they will take the condition of that country into their best consideration in order to avert a calamity which is not only impending, but seems inevitable. I trust I have not too long occupied the attention of the House, and that I have strictly redeemed my promise by confining myself to the sole object for which I have risen on this occasion—which is, to draw the attention of Parliament and the country to the present state of things in Ireland, and to elicit from the Government some explanation on the subject. I now, Sir, beg to ask of the Irish Secretary the Question of which I have given notice—namely, Whether the attention of the Government has been directed to the distress now existing in Ireland; and, if so, whether it is in their contemplation to adopt any measures for its relief?

COLONEL DICKSON said, he wished to return his thanks to the hon. Gentleman for having brought forward this subject. It must be admitted on all hands that deep distress existed in Ireland, and he wished to impress on the right hon. Secretary for Ireland the necessity of taking some step to prevent its continuance. It was not only in the agricultural districts, but in the country towns that the distress was felt. The commercial interest also was suffering. The proprietors of large concerns, possessed of good capital, in considerable towns, had informed him that the season last winter had been such as almost to induce them to shut up their establishments. He entirely approved the suggestion which had been made of affording assistance to railways in course of construction. In connection with all such works there was a large amount of capital locked up, and the right hon. Baronet might well turn his attention and that of the Government to the desirability of unlocking some of that capital, and rendering it available for the construction of the works. Great stress had recently been laid on the amount of poor rate in some parts of England, and provision had been made that when in the distressed districts the poor rate rose to 3*s*. 6*d*. in the pound rates in aid should be collected in the adjoining district; but in many parts of Ireland the poor rate this season had considerably exceeded that amount. He had no wish to draw comparisons between the distress in Ireland and that in Lancashire. He was proud to think that his countrymen in Ireland had not been behindhand in their subscriptions for the relief of distress in Lancashire. They recollected the provision made for them in former years, and wished to return the kindness which had been shown to them. But, while attending a meeting in his own county to collect subscriptions for that purpose, he could not but feel some compunction in asking his countrymen to subscribe to relieve a population whose poor rates did not exceed 3*s*. 6*d*. in the pound, when there were parts of Ireland where the poor rates were 4*s*., 5*s*., and even 6*s*. in the pound. That was a serious state of affairs, and he hoped the Government would take it into anxious consideration. The Lord Lieutenant of Ireland had at length discovered that things were retrograding in that country. It was not in the power of private individuals to relieve or mitigate the distress that existed. That was to a great extent within the power of the Government; and he hoped the right hon. Baronet would insist on their allowing him to introduce some measure to prevent the population of Ireland from longer suffering such misery and distress.

SIR ROBERT PEEL: Sir, I have listened with great attention to the remarks by which the hon. Gentleman the Member for Dungarvan (Mr. Maguire) prefaced his Question, and I am bound to admit, speaking on behalf of the Government, it is evident there never was any intention to deny that, consequent on three successive deficient harvests, naturally a state of things exists in Ireland which must not only cause considerable pressure on those to be relieved, but on the small farmers, and especially the shopkeepers. The hon. and gallant Officer (Colonel Dickson) has stated that my noble Friend his Excellency the Lord Lieutenant has at length admitted the distress, but surely he must acknowledge that no more benevolent and kind-hearted nobleman exists, or one who would be more disposed to come forward and give his assistance if it were thought expedient on the part of the Government. I do not quarrel with the right of the hon. Gentleman to bring this question before the House and Parliament. I am bound to say no one is more entitled than he is to bring it forward, when I recollect the position he took recently in the county of Cork to arouse a feeling of sympathy towards those who were suffering distress in Lancashire. The Dublin Relief Committee, of which I was an attentive member, could not refrain from expressing our admiration of the conduct of the hon. Gentleman as Mayor of Cork. The words which he used on that occasion entitle him to the warmest respect, for, placed in the position which he occupied, he was surrounded by considerable difficulties. With what might have been the excuse of considerable pressure and suffering in his own country, he came nobly forward and said—

> "Let us recollect the sufferings we underwent in the famine years, and let us stretch forward a liberal hand for the relief of our suffering fellow countrymen. . . . There are in every manufacturing town of Lancashire thousands of the same blood and race as ourselves who this day appeal to our sympathy in their misery, to our compassion, to our humane and Christian feelings."

And he went on to say—

> "We shall give this day to our countrymen what we can afford, and we all meet as Christian men, on a common platform, to do a common act of Christian kindness."

The result of the appeal was a magnificent subscription in Cork, and no man, therefore, is better entitled than the hon. Gentleman to come forward now and lay before Parliament and the country the condition of Ireland at this moment. I can only reply to the hon. Gentleman in the language used by the noble Viscount at the head of the Government. Over the causes that afflict Ireland we have no control; they are the result of inclement seasons, of atmospheric influences, that it would be impossible to circumscribe or prevent; while the distress in Lancashire springs from human causes, which, God knows, we all desire should come to a termination as speedily as possible. When the hon. Gentleman endeavours to frame a comparison between the suffering in Ireland and Lancashire, we must remember, that terrible as have been the trials in Lancashire, no public grants of money were made. The destitute have been supported partly by the rates, partly by the liberal generosity of persons in all quarters of the world; and therefore, if in England we have not come forward with any special grants, I think the hon. Member and other hon. Members will agree with me that it would be very difficult for the Government and for me, speaking as an humble and subordinate Member of that Government, to propose grants for the alleviation of distress in Ireland. I must call the attention of the hon. Member to a report issued by the Dublin Central Relief Committee, in which they state that—

> "£8,000 have been received by this Committee; besides which, upwards of five times that sum have been allocated by local authorities engaged in the same humane duty."

MR. MAGUIRE :—That was last year.

SIR ROBERT PEEL :—The report was issued, I believe, in the month of September. I have also learned by the Australian newspapers that an amount exceeding £7,000 has been subscribed by the inhabitants of Australia towards the funds in the hands of the Dublin Committee. I do not for a moment deny that a period of very severe pressure does exist, and that it will require great care and vigilance to overcome it; but it is not an occasion on which Government ought to come forward with special loans or grants of money. I am justified in saying that there are only three unions in Ireland—Cork, Limerick, and the South Dublin Union — where there is any pressure on the accommodation which the workhouses afford. There has been a large increase of out-door relief lately, consequent on the more lenient action of the Poor Law passed last year, but I must say that the state of things in Ireland bears no comparison with the position of affairs in Lancashire or with the facts disclosed in the Earl of Derby's speech. The hon. Member for Rochdale stated that in that town alone, with a population of 38,000, there are 20,000 persons in the receipt of poor relief and assistance from other benevolent channels : while in Ireland, with a population of 5,700,000, the total number in receipt of indoor and outdoor relief is 75,000. I admit that the number, even at that limit, is unfortunately too great, and that the present moment, perhaps, does not afford a fair criterion ; but, taking the comparison as presented by the Poor Law figures, I am disposed to believe that the state of Ireland does not justify the melancholy picture which some persons are disposed to draw. The hon. Member also referred to the statistics of Irish prosperity, and observed that the number of acres under cultivation had decreased, while the live stock had increased in number. That is perfectly true. Owing to successive bad seasons, the farmers have thought it better to turn their holdings into pasturage than to expose themselves to the losses entailed by bad and defective crops. It was contended by the hon. and gallant Member for Limerick that the rates in Ireland were very heavy—I think he said over 3*s.* 6*d.* in the pound, in a very great number of instances. It is important that I should put my hon. and gallant Friend right on that head, because I have just received a return from Dublin showing the average poundage on the rates now in course of collection in Ireland. It says—

> "There are fifty-four electoral districts where the rates exceed 3*s.* in the pound, and there are eight where the rates exceed 5*s.*; but the average poundage on the rates in Ireland does not exceed more than 1*s.* 2*d.* in the pound."

That does not show a very heavy pressure generally on the rates; and I would observe, that with all this suffering, I am informed by the best authority that the sanitary condition of the people was never better. A great deal of harm, in my opinion, is done by speeches and discussions in the public press as to "how Ireland may be saved." They are calculated to exercise the worst possible effect on classes of persons whose condition is undoubtedly improving. ["No, no!"] Well, of course, that is a matter of opinion, and I hold my opinion very strongly. No doubt much distress does exist, but in every case where the slightest appearance of undue pressure has been reported to the Government I lost not a moment in taking every step to excite attention to the circumstances, and particularly to incite the Poor Law Inspectors to active measures. I do not wish to make the slightest allusion to my personal exertions; but as the hon. Gentleman refers to the precautions which the Government ought to take, I am compelled to do so. In one district in the County Cork great and sudden pressure existed, and a most charitable lady, whose name can never be mentioned except in connection with some noble action, wrote to ask whether I could give her any information with regard to that part of Ireland. The House will at once understand that I allude to Miss Coutts. I told her, that if she would communicate with a most respectable resident clergyman, Father Leader, I had no doubt he would give her every assistance. I believe she did so, and that the priest in the locality gave her the most satisfactory and complete information. That lady, out of her own pocket, paid the emigration expenses of numerous destitute families, and thus relieved the poverty of the district. That case, and others which I could mention in the County Galway, will show, that although I had no funds at my own disposal, no time was lost in taking every step which I was legitimately entitled to adopt for the purpose of attracting attention to cases of destitution. The subject is one well worthy the attention of the House and of Parliament, and I am glad the hon. Member has brought it forward. On the part of the Government, however, I can give him no answer but that which the noble Viscount has already done. I hope the depressing influences of past seasons may be ameliorated in the present year; and I believe we have passed the worst period of pressure. The Poor Law Commissioners write this day that they believe the climax will be reached in a fortnight or three weeks; and I am assured by other persons that, so far from the condition of Ireland deteriorating in the manner that some are disposed to believe, its state is sound and satisfactory; and that if the depressing influences of the time were past, the native energies of the people would rouse themselves, and we might look for an opening season of increased prosperity.

METROPOLITAN RAILWAY SCHEMES.

OBSERVATIONS.

Mr. HARVEY LEWIS said, he rose to call the attention of the House to the great number of Railway schemes affecting the Metropolis (upwards of thirty) introduced in the present Session, and to ask the President of the Board of Trade what protection is afforded to the public interests in this matter by the Department over which he presides; and also to move for Copies of any Reports made to the Metropolitan Board of Works by their engineer, or other officers, upon the Railway and other Private Bills affecting the Metropolis, introduced during the present Session. Parliament had intrusted to the Metropolitan Board of Works very extensive powers, and many hon. Members who had inspected the results must admit that the system of main drainage did infinite credit to the Board and its officers. But schemes of another kind might destroy what had already been done, and mar the good effects to be expected from the great works which had already been carried out, if steps were not taken to control them. The subject demanded the attention of the Government, and he was at a loss to conceive what useful steps could be taken unless they were taken by the Government. If, at the commencement of railway enterprise, one uniform plan had been adopted controlling the different schemes, the most direct and speedy means of communication would have been secured and a great waste of money would have been avoided. A new phase of railway enterprise, however, was now presented in respect of lines in the metropolis. It must be admitted that the communication between the West and the East ends of London was as bad as it could be, and required improvement; but, at the same time, it was incumbent on Parliament to do something to prevent the unsatisfactory results which experience showed must always attend the absence of a uniform plan. The engineer of the City Commission of Sewers had not long ago presented a report in which he ably elucidated the advantage of that principle, more especially with regard to the various railway lines that were to meet in Finsbury. People wishing to proceed from one line to another would have there to cross the Circus, and those who came by the Underground would have some seventy steps to climb in order to reach the level of the station of another line. It was the same principle in favour of which the Royal Commissioners on Railways in 1846 reported, stating their opinion that the improvement of the streets of the metropolis consequent upon Railway extensions, as well as regarded utility and beauty as economy and convenience, must depend on the works being executed with one intention and as parts of one well-considered scheme. Mr. Bazalgette, the engineer, had, as recently as the 28th of January last, brought under the notice of the Metropolitan Board of Works the great evils attending the schemes now in contemplation. Mr. Bazalgette enumerated no less than thirty-six schemes of the Session which affected the metropolis. He pointed out that the Great Eastern Railway and branches would pass over the Northern High Level Sewer and the Mid Level Sewer, but being on viaducts would not materially affect them. It would, however, also cut through the sewer at Dalston, and no saving clause was proposed. He pointed out that the Kensington, Knightsbridge, and Metropolitan was throughout below the surface, and would materially affect the drainage of the district; that the Metropolitan, Tottenham, and Hampstead was also beneath the surface, and would have the same effect; that the Midland and London Railway would affect the drainage of the district through which it passed; that the East London and Rotherhithe would interfere with the sewerage of the district; and that the London Railway (Victoria Station) would destroy the arch of the sewer in that locality. He had said sufficient to show, that unless there were some body to represent the different interests of the public before Railway Committees, serious damage would accrue to the ratepayers of London. The ratepayers had paid, and for many years would continue to pay, heavy rates for the drainage of the metropolis, but up to the present they had got nothing for their money. They patiently awaited the result of the expenditure of their money. The drainage works were intrusted to men of eminence, and when the reports of the engineers stated that those works were likely to be destroyed by the railways which were projected, it was high time for Her Majesty's Government to take action in the matter. The Board of Trade did not interfere—it would be desirable that they should; and the Metropolitan Board of Works had no *locus standi* before Committees of the House, but they ought to be empowered by Act of Parliament or by an alteration of the Standing Orders to represent the public in such cases. If something of the kind was not done, London would become perfectly impassable, and he knew too well, from the case of the Metropolitan Railway, how much inconvenience and ruin a single scheme could cause by diverting trade from its usual and accustomed channel. When they considered that London was increasing every day, and that the great arterial means of communication could not increase in the like proportion, it would be apparent that means should be at once taken to insure that all railway schemes affecting the metropolis should come before the Committees in a well-digested and proper form.

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copy of any Reports made to the Metropolitan Board of Works by their engineer, or other officers, upon the Railway and other Private Bills affecting the Metropolis, introduced during the present Session,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. TITE said, that as a member of the Metropolitan Board of Works, as well as a Member of that House, he felt exceedingly obliged to the hon. Gentleman for calling attention to this subject. In some cases, where new schemes would interfere with the sewage, the Board of Works had the means of appearing with effect before Railway Committees; but as regarded many other schemes, which would seriously affect the public interests, the Board had no authority whatever to interpose. To take a single example: The year before last the North Western Railway obtained powers to make a line with a terminus at the end of Broad Street, which was in the course of construction; and now the Great Eastern was promoting a line to run parallel with that Branch of the North Western for two miles, and finally to end in a station nineteen feet above the street, entirely destroying Finsbury Circus. Nor was that all. Another line—the Metropolitan—had its terminus within a hundred feet of Finsbury Circus, but that was eighteen feet below the surface, making a difference of nearly forty feet between the two railways. Now, a plan might have been devised by which the Great Eastern might have run into the Metropolitan terminus at the same level, thus connecting two great and important systems of railway communication. The scheme of the Great Eastern was much objected to, but there was no one likely to undertake the serious expense—perhaps £2,000 or £3,000—of opposing a great and powerful Company. The new street in Southwark (which cost £500,000) was crossed by one of those bridges to which he had referred the other night, and a similar structure was intended to be built over the new street which the Metropolitan Board hoped to form between Blackfriars and the Mansion House, and which would cost £600,000 or £700,000. That bridge, too, was to be only eighteen feet high, and it would cross a street ninety or a hundred feet wide. The late Sir Robert Peel in his day had referred the whole of similar metropolitan schemes to the Board of Trade; and if the valuable Report of that Board had been carried out, there might now have been a railway completely round the City, as there was at Paris. That great opportunity had, unfortunately, been let slip. Evelyn, in his Diary of 1650, or 1660, remarked that London was the ugliest city in the world for its bigness; and it really seemed as if the bigger it grew the uglier it got. The Railway Committees were naturally anxious to consult the convenience of the public; and they therefore sanctioned every undertaking which appeared to them *bonâ fide*, and which was not opposed; but, unfortunately, there was no one in London empowered to resist any scheme that was put forth with regard to the metropolis. At the present moment a railway bridge was crossing the Thames not more than fifty or sixty feet from the new Blackfriars Bridge now about to be built; and the line would then cross Ludgate Hill, shutting out the only decent view of St. Paul's, and so join in some way the Metropolitan Railway, which was at a lower level. He did really hope that the Government would devise some mode of securing a public supervision of these schemes.

MR. MASSEY said, if his right hon. Friend the President of the Board of Trade were present, he would be precluded by the rules of the House from replying to the hon. Gentleman; but he could say for his right hon. Friend that he was not prepared, after due consideration, while fully admitting the importance of the matter, to suggest any special mode of dealing with the particular class of railways to which the hon. Member had referred. He understood his hon. Friend to lament that before the railway system had yet assumed its present magnitude the Government had not taken the responsibility of laying out the various lines, and presiding over the development of the system. The habits and manners of the people of this country, however, were very different from those of continental nations, and therefore a system which would be suited to the highly centralized forms of Government in other countries, and would there be subjected to no comment, would not be practicable here. If any attempt such as that recommended by the hon. Gentleman were made, the difficulties would be so great that the strongest Government would be obliged to give way, and therefore he did not think the Government were liable to censure for not dealing with the matter. The subject of railway communication with and in the metropolis was one of special concern, and there were now before the House some twenty-five or thirty schemes for occupying sites in the metropolis in connection with railway projects.

If the House were of opinion that it had become necessary to provide some means of relieving the traffic in the streets of London through the medium of these railways, these various projects would be referred to the Committee of Selection. which, according to its usual practice, would classify, group them, and refer them to a Committee in the usual way. By the time that process was gone through, probably many of them would have disappeared, and the plans which would be ultimately submitted for the consideration of the House would not involve that complication which now rendered the question so difficult to be dealt with. He agreed with the hon. Member for Bath (Mr. Tite) that the public interest should be protected by giving powers to some body representing the public interest to appear before those Committees, and to watch their proceedings. He gathered from the speech of the hon. Gentleman that the members of the Metropolitan Board of Works had turned their attention to this particular subject, and he (Mr. Massey) could not conceive that the exercise of a supervision over railway schemes affecting the metropolis could be intrusted to any other body than the Metropolitan Board of Works, which had hitherto done its work so satisfactorily, and which was already in possession of a competent working staff of engineers and law advisers. Especially, however, he would caution the House against intrusting it to a Government Department. The Board of Trade, some time ago, had been charged with the task of making reports on all railway schemes submitted to the House; and though it had duly performed that duty, its reports had never attracted that amount of public attention, or commanded that influence with Committees, which might have been anticipated from from the recommendations of a Government Department. A Standing Order of the House gave to all municipal bodies affected by any railway scheme the right of appearing before a Select Committee · but there had been some doubt whether it would include the Metropolitan Board of Works, which had come into existence since it was framed. Nothing would be easier, or more in accordance with precedent, than to extend the order so as to embrace that body; and if the House approved the suggestion, he would undertake the duty of revising the Standing Order, so as to give the Board of Works a *locus standi* before Committees which had to consider Railway Bills affecting the metropolis.

Mr. AYRTON said, he had taken considerable part in the agitation which had resulted in the setting aside of the Report of the Royal Commission which had been referred to, and which had cleared the way for the accomplishment of that undertaking now called the Metropolitan Railway. The great success of that enterprise had led to a large number of schemes being proposed for the improvement of railway communication in the metropolis. Among those schemes no doubt some would be found likely to be of great service to the metropolis. The question was brought under the notice of a Committee, of which he was Chairman some two years ago, and that Committee suggested that the Metropolitan Board of Works might be empowered to appear, whenever sufficient grounds for their interference appeared to exist, before the Parliamentary Committees. That seemed, in reality, the only mode in which Parliament could deal with this matter. He therefore hoped that the Chairman of Ways and Means would bring up some Amendment of the Standing Orders, by which the Metropolitan Board of Works would have an opportunity of appearing before Committees, and looking after all these schemes.

Mr. NORRIS said, that in his opinion the plan of the hon. Chairman of Ways and Means would not be a bad way of meeting the difficulty, but he would suggest that before the Standing Order was altered, care should be taken that the body appointed to look after the public interests in these matters would be one exempt from all commercial speculative local interest in the transactions. Commercial speculations and local interests would interfere with the due discharge of their duties before Committees, if confided either to the Corporation of London or the Metropolitan Board of Works. To ensure pure and disinterested action, he thought it would be better to place it in the hands of some Government Department.

Sir GEORGE GREY said, he thought that the hon. Member for Marylebone (Mr. Harvey Lewis) had done well in bringing the subject before the House. It was desirable that these various schemes should not be dealt with separately, but that a comprehensive view should be taken of all the proposed communications in the metropolis. Nevertheless, he differed from the hon. Member for Abingdon (Mr. Norris), who conceived that it would be expedient to have the control of some Government Department over these schemes; they had had experience as to the inefficiency of such a plan. A Government Department might, like the Board of Trade, collect information for the purpose of laying it before the House; but, looking back at what had happened during the last twenty or thirty years in reference to railways, he thought, that though better lines of communication might in certain instances have been adopted if some general scheme had been laid out, yet leaving the matter to private enterprise had, on the whole, tended to the interests of the country. With respect to metropolitan railways, the suggestion made by the Committee over which the Member for the Tower Hamlets presided, and which was recommended by the Chairman of the Committee of Ways and Means, was well entitled to consideration, with the understanding that the Metropolitan Board of Works should be represented before the Parliamentary Committees only on the ground of public interests, exclusive of private interests. He would not say more on the subject, because when the proposal to alter the Standing Orders should be made, that would be the proper time to discuss the proposed change. To the Motion for the production of the Reports he was not aware of any objection.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Ordered,

That there be laid before this House, Copy of any Reports made to the Metropolitan Board of Works by their engineer, or other officers, upon the Railway and other Private Bills affecting the Metropolis, introduced during the present Session."

Committee *deferred* till *Monday* next.

PRINCE OF WALES (QUEEN'S MESSAGE).

Prince of Wales (Queen's Message) [17th February].—Resolutions *reported;*

1. "That the annual sum of £40,000 be granted to Her Majesty, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, towards providing for the Establishment of His Royal Highness the Prince of Wales and Her Royal Highness the Princess Alexandra of Denmark, to commence from the day of the Marriage of their Royal Highnesses."

2. "That the annual sum of £10,000 be granted to Her Majesty, out of the said Consolidated Fund, to be paid quarterly to Her Royal Highness Princess Alexandra, for Her sole and separate use, during the period of their Royal Highnesses' Marriage."

3. "That Her Majesty be enabled to secure to Her Royal Highness the Princess Alexandra, in case she shall survive His Royal Highness the Prince of Wales, an annual sum not exceeding £30,000 during Her life, to support Her Royal Dignity.

Resolutions *agreed to.*

Bill *ordered* to be brought in by Mr. MASSEY, Viscount PALMERSTON, and Sir GEORGE GREY.

Bill *presented*, and read 1°. [Bill 30.]

BIRTHS AND DEATHS REGISTRATION (IRELAND) BILL—[BILL 9.]

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 8 inclusive *agreed to.*

Clause 9 (Salaries to be paid out of Monies provided by Parliament).

MR. M'MAHON said, that the measure might be very gratifying to statistical societies and social science philosophers, but would be of no benefit to the ratepayers. He would therefore move the omission of certain words, in order to secure that the expense of working the Act might be borne, not by the rates, but the Consolidated Fund. The distress in Ireland was at present so great as to render the levy of any fresh impost impossible.

Amendment proposed, in page 4, line 6, to leave out the words "not herein otherwise provided for."

MR. GEORGE said, he should support the Amendment. The sum of £16,000 was far less than the amount charged on the Consolidated Fund for medical purposes in England. He concurred in the main in what had been said that evening by the hon. Member for Dungarvan (Mr. Maguire) with regard to the distress in Ireland. The distress among the class just above the labourers far exceeded that among the labourers themselves; and it was on the former class that the burden imposed by the Bill would chiefly fall. The rates had been paid cheerfully wherever there were the means of paying them, for the sake of the destitute poor; but the motive in that case would not operate in this. It would be most unwise to peril the success of the useful measure by exposing it to the prejudice of an unjust burden.

SIR ROBERT PEEL said, that the Bill would not, as stated, entail a charge of a penny in the pound upon the total valuation of Ireland; for, after a careful inquiry, he had ascertained that the charge would be only 5-16ths of a penny. With regard to the alleged pressure of local taxation in Ireland, he found also that the average of the taxation amounted to a fraction more than 2*s.* in the pound, or 10 per cent; whereas England was taxed to the extent of 20, and Scotland 10 per cent. The burden in Ireland, therefore, was not so very extravagant as the Committee had been led to suppose. Calculations had been made that the probable number of births and deaths in the course of the year upon a population of 5,764,000 would be 193,514 births and 132,756 deaths. That was upon an average of years, and might be considered as very nearly an accurate estimate. But as by Returns just presented the number of persons who had emigrated from Ireland during the last ten years exceeded 1,200,000, and emigration still continued, the future number of births and deaths might be less than he had mentioned. Upon that calculation, however, if the registrars, as he proposed, were paid 1*s.* for every entry, and the superintendent registrars 2*d.* out the Consolidated Fund, the charge under the Bill would not exceed £16,300 per annum. The Government could not possibly allow that amount to be taken from the Consolidated Fund, and he hoped, therefore, the hon Member would not ruin the Bill by persisting in the Motion, and would not make a stand about 5-16ths of a penny. It was not a measure, as had been said, for merely social science purposes, but, on the contrary, was one of great national importance.

COLONEL DUNNE said, he thought that the Bill, inasmuch as it made no provision for the registration of marriages, would be practically valueless. He could not regard it, therefore, as anything more than a Bill for raising £16,000 from the distressed classes of Ireland. He did not see why such statistical pedantry should not be paid for out of the Imperial exchequer.

SIR EDWARD GROGAN said, the great complaint in Ireland was the rapid and enormous increase of the county rates. His objection to the Bill was that it proposed to put an additional burden of £500 a year upon each county. He was, however, quite ready to agree to the proposition of the right hon. Baronet as to charging the expenses of registration of births and deaths on the poor rates in Ireland, if he would, on the other hand, agree to allow one half the charges for workhouse, schoolmasters, and medical officers to be paid by Parliament in ease of the rate, as was the case in England. Last year the sums asked for these purposes amounted to no less than £130,000. £16,000 a year was a small sum, certainly, for the working of a useful Act; but he would ask, looking at the fact that the Poor Law Act was of recent introduction in Ireland, whether it was wise to divert any portion of the funds raised for the relief of the poor to a purpose foreign to the object of the Poor Relief Act?

MR. BAGWELL said, he should support the Bill, which, he was glad to find, followed the English Act. He always liked to see the two countries placed on the same footing as far as legislation was concerned. The expenses of the working of the Registration Bill were trifling, and would never be felt. He hoped to see the day when Irish Members would cease to plead *in formâ pauperis* in that House. No doubt distress existed in Ireland, but it ought to be met there, and not paraded before the country as it had been.

MR. HENNESSY said, he would be glad to see the Bill passed, because he thought it was a good measure, but the Amendment might be adopted with advantage. The Bill, as it stood, did not follow the English practice. In England £37,200 was voted by Parliament for the superintendent registrars and registrars. By the present Bill it was proposed to impose £16,000 upon the counties of Ireland for the payment of the same classes of officers.

SIR ROBERT PEEL explained that the superintendent registrars were to be paid out of the Consolidated Fund, and the registrars out of the poor rates.

MR. HENNESSY said, that was not the English system. In England both the superintendent registrars and the registrars were paid out of funds voted by Parliament.

MR. LONGFIELD said, he thought there never was a juster claim made upon the House. It was very well for a wealthy gentleman to recommend Irish Members to keep their distresses to themselves; but he forgot they had been patiently listening for several nights to the detail of English distress in Lancashire. They had heard of fifty-four unions in Ireland where the rates were 3*s.* in the pound, and nine in which the rates were 5*s.*, without any rate in aid. He thought, therefore, the House should listen to the appeals of Irish Member on behalf of their distressed constituents. Did anybody suppose that £16,000 a year would represent all the expense entailed by this Bill? By Sections 21 and 22 the guardians of unions were to provide depôts for the safe keeping of registers, according to a plan approved by the Registrar General, and who could tell what the expense of those offices would be, and the cost of keeping them up?

MR. HASSARD said, he wished to know what benefits the Bill would confer. The right hon. Baronet had spoken of its value in the succession to property, but there was nothing in the Bill to make certificates of registration evidence.

MR. MAGUIRE said, the hon Member for Clonmel (Mr. Bagwell) had read the Irish Members a lecture. Would the hon. Member carry out his own theory of equal laws for England and Ireland, for instance, in the case of education? Would he assist other Irish Members to obtain back their own Legislature in Ireland, when they could effectually confine their distresses and grievances to their own country? There was such distress in Ireland that any addition of taxation would be felt as a heavy grievance. There was no desire to imperil the Bill, but he did hope the Amendment would be adopted.

MR. BAGWELL said, he never had been favourable to the repeal of the Union, and never should be.

MR. CARDWELL said, he did not rise to discuss the questions of national education or of repeal of the Union, or of the distress in Lancashire, except so far as to remark, that whatever the distress in Lancashire might be, no demand for aid from the Consolidated Fund had been made. He was very desirous that a Registration Bill should be passed. The hon. Member for the King's County (Mr. Hennessy) was quite under a mistake. They were really debating whether they should charge on the poor rate in Ireland that which was charged on the local rates in England, and on the Consolidated Fund for Ireland that which was borne by the same fund for England. That was what the Bill intended; and if that object was not clearly carried out as the provisions stood, he undertook that they should be amended. He put it, therefore, to the Irish Members whether it was worth while to frustrate the measure, the advantages of which they were anxious to secure to their country, by insisting on a proposal to which the English and Scotch Members would never consent.

COLONEL DUNNE said, he was ready to accept the Bill if the Government would ensure to the ratepayers of Ireland the same powers as ratepayers in England possessed with reference to registration of births and deaths. At the same time, he wished to take that occasion to deprecate eulogies of emigration from Ireland. To his mind an emigration was almost as sad an event for that country as a death. He hoped that the population of Ireland would increase, and that the means of supporting that population would increase also.

MR. MONSELL said, he concurred with the hon. and gallant Member for the Queen's County (Colonel Dunne), in thinking that the local authorities in Ireland should be placed on a footing with the local authorities in England and Scotland with reference to the question. If the ratepayers of Ireland must pay the expenses of enforcing this measure, why should they not have the power of appointing the registrars?

CAPTAIN DAWSON said, he could not see why the collection of what were called vital statistics should not be paid out of the Imperial exchequer as well as agricultural statistics and the decennial census returns; but, at the same time, he should be sorry to endanger the passing of the necessary measure.

MR. VANCE said, the Bill violated the very principle claimed for it by the hon. Member for Clonmel (Mr. Bagwell)—that Ireland ought to have the benefit of equal laws with the rest of the kingdom.

MR. HENNESSY said, he would accept the challenge of the right hon. Gentleman the Chancellor of the Duchy. The question was, out of what fund were the registrars in Ireland to be paid? The sum of £37,200 was voted in last year's Estimates for the fees and expenses of the superintendent registrars and registrars of births, deaths, and marriages in England. He wished, therefore, to know whether the Government were prepared to propose in their next Estimates that a proportionate sum should be voted for the registrars in Ireland. [Sir ROBERT PEEL: No.] Under these circumstances he should feel bound to support the Amendment of his hon. Friend.

MR. BUTT said, he would support the clause in its then shape, as it was an exact copy of the English Act.

Lord NAAS said, he thought there was great force in the argument from the analogy of the English Act; but why should not that analogy be carried out by giving those who paid the registrars the power of appointing them? If that proposal was acceded to by the right hon. Baronet, it might be well to limit the *maximum* payment, and then leave the boards of guardians to get the work done for less if they could.

Colonel DICKSON said, he trusted the Secretary for Ireland would consent to the measure being assimilated in every respect to the English and Scotch Bills.

Lord JOHN BROWNE said, that he thought they were entitled to receive an assurance, that if the English registrars received anything from the Government, the Irish registrars should receive a like sum.

Sir ROBERT PEEL said, he had thought it best to adopt the principle of appointing medical officers as the registrars; but he had no objection to modify the clause to this extent—that the guardians should appoint the registrars, preference being given to medical officers.

Mr. HENNESSY said, he would put it to the right hon. Baronet to give a more distinct answer to the question as to what became of the £16,300 voted in the Estimates for superintendent registrars and registrars of births, marriages, and deaths.

Sir ROBERT PEEL said, he believed the sum had reference to the expenses incurred by the superintendent registrars.

Sir EDWARD GROGAN said, he willingly assented to the principle of analogy between that and the English Act, but insisted that it should be carried out. If it was found, on inquiry, that any part of the £16,400 went to the English registrars, would they have a similar credit for Ireland?

Sir GEORGE GREY said, the terms of the Bill, financially, were intended by the Government to be identical with those of the English Act.

Mr. M'MAHON said, the English Act was for registering births, deaths, and marriages. Give them a register of marriages, and they would not object. The present measure was of no profit or use to the people of Ireland. It would be of use for the decennial census for Imperial purposes, just as a return of emigration, and so on, but it was of no value to the people. Give them marriages, a record of which would be of service as touching kinship, heirship, and title to property, and they would not object to pay their proportion. He would press his Amendment to a division.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 38; Noes 23: Majority 15.

Clause *agreed to;* as were also Clauses 9 to 17, inclusive.

Clause 18 (Registrars' Districts).

Lord NAAS said, that power was given in the English Act to enable boards of guardians to divide the unions into registration districts in the manner they thought most convenient for registering purposes. Great inconvenience would arise from the clause in its present shape, and he therefore proposed to leave out from the beginning to the word "Act" in line 19, and insert the words—

> "The guardians of every union shall, on or before the 1st of January, 1864, divide the union into such and so many districts as they, subject to the approval of the Registrar General, shall see fit."

Amendment proposed, in page 6, line 17, to leave out the words "Each dispensary district."

Mr. LONGFIELD said, he should support the Amendment, on the ground that as the guardians had to pay and levy the rates to meet the expenses, they were the proper parties for dividing the unions into districts.

Sir ROBERT PEEL said, the Government thought it better to adopt the dispensary districts, which were well known to the people, than to give powers to boards of guardians to divide unions as they thought proper. By the former plan they obtained a uniformity, which would not be the case if the matter were left to the arbitrary decision of each board of guardians.

Sir GEORGE GREY said, that as the dispensary districts existed in Ireland, and not in England, the Government felt that the existing arrangement ought to be made use of rather than a new one.

Colonel VANDELEUR said, he agreed with the right hon. Gentleman that the dispensary districts were well defined, and ought to be adopted. If the election of the officers were left to the guardians, there would be canvassing from one end of the county to the other, and it would lead to a great deal of confusion.

MR. MONSELL said, Sir Richard Graham's experience showed that medical officers were not the best registrars. On the simple ground that the English and Scotch ratepayers had the power of appointing the registrars, he insisted that their appointment in Ireland should be vested in the local authorities.

SIR GEORGE GREY reminded the Committee that the noble Lord's Amendment did not touch the question of appointment.

Question put, "That the words proposed to be left out stand part of the Question."

The Committee *divided:*—Ayes 44; Noes 14: Majority 30.

Clause *agreed to;* as were also Clauses 19 to 22, inclusive.

Clause 23 (Appointment of Registrars).

LORD NAAS said, he should move to leave out from the beginning to "district," in line 35, and to insert the following:—

> "The guardians of every union shall appoint a person with such qualifications as the Registrar General may, by any general rule declare to be necessary, to be Registrar of Births and Deaths in each district and in every case of vacancy in the office of Registrar shall forthwith fill up the vacancy."

MR. HENNESSY said, he should support the clause as it stood, as he regarded the claims of the doctors to be paramount.

SIR ROBERT PEEL said, he must oppose the Amendment. Medical officers had been selected, not only because they were fittest, but because he believed that the appointment, as a general rule, would give most satisfaction to the people of Ireland.

COLONEL DICKSON supported the Amendment.

MR. MONSELL said, as the registrars in Scotland were not medical men, he did not see why they should be of that profession in Ireland.

SIR ROBERT PEEL said, he followed the opinion of Major Graham, who considered that the registrars should be medical men.

LORD NAAS said, Major Graham expressed himself in favour of medical men as against the constabulary, but he said nothing against other persons being employed.

MR. M'MAHON supported the Amendment.

COLONEL VANDELEUR opposed it, believing that if it were agreed to, very unfit persons would sometimes be elected.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 24 to 27 *agreed to.*

Clause 28 (Superintendent Registrars and Registrars to reside in their Districts).

MR. HASSARD proposed an Amendment directing the Registrar to appoint the days and hours during which he would attend at his residence or place of business for registration of births and deaths.

Amendment *agreed to.*

MR. BAGWELL proposed in line 30 to insert after "business," "Provided always that dispensary houses in the Registrar's districts may, with consent of the dispensary committee, be used as registering offices."

Amendment *agreed to.*

Clause *agreed to;* as was also Clause 29.

Clause 30 (Registrar to learn and register Births and Deaths).

MR. M'MAHON said, he thought the period for giving notice to the Registrar was not long enough.

SIR ROBERT PEEL observed, that whereas in England the period allowed for actual registration was forty-two days, in Ireland it was to be three months.

Clause *agreed to.*

Remaining Clauses *agreed to.*

Bill *reported;* as amended, to be considered on *Monday*, 2nd *March.*

LONDON COAL AND WINE DUTIES BILL.

London Coal and Wine Duties,—Acts *considered* in Committee:—

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for further continuing and appropriating the London Coal and Wine Duties.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. MASSEY, Mr. COWPER, and Mr. PEEL.

Bill *presented,* and read 1°. [Bill 27.]

EDUCATION OF FACTORY CHILDREN BILL.

Bill to make further provisions for the Education of Children employed in Factories and other Works, *ordered* to be brought in by Mr. BAXTER and Mr. BUCHANAN.

Bill *presented,* and read 1°. [Bill 28.]

BLEACHING AND DYEING WORKS ACT AMENDMENT BILL.

Bill to amend the Act for placing the Employment of Women, Young Persons, and Children in Bleaching Works and Dyeing Works under the regulations of the Factories Act, *ordered* to be brought in by Mr. BAXTER, Mr. HIBBERT, and Mr. CRUM-EWING.

Bill *presented*, and read 1°. [Bill 29.]

BARRISTERS (IRELAND) BILL.

Bill to amend the Law relating to the Admission of Barristers to practise in Ireland, *ordered* to be brought in by Mr. HENNESSY, Mr. MAGUIRE, and Colonel DICKSON.

Bill *presented*, and read 1°. [Bill 31.]

ORDNANCE—SELECT COMMITTEE.

Ordnance,—Select Committee *appointed*, "to inquire into the expenditure incurred since the beginning of 1858 on various natures of improved Ordnance, whether obtained by contract or manufactured in the Public Departments, and into the results obtained by such expenditure."

And on February 26th Committee *nominated*, as follow:—Mr. MONSELL, Sir GEORGE LEWIS, General PEEL, Captain JERVIS, Mr. BARING, Sir FREDERIC SMITH, Mr. DODSON, Sir JOHN HAY, Lord ROBERT CECIL, Mr. LAIRD, Major O'REILLY, Mr. BEECROFT, Sir MORTON PETO, and Mr. VIVIAN.

House adjourned at a quarter before One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, February 23, 1863.

MINUTES.]—PUBLIC BILLS.—*First Reading.*—Gardens in Towns Protection [H.L.], (No. 14); Naval Coast Volunteers Act Amendment [H.L.] (No. 19); Illegitimate Children (Ireland) (No. 17); Drainage of Land (Ireland) (No. 18).

GREAT EASTERN RAILWAY (NEW METROPOLITAN STATION & BRANCHES) BILL.—SECOND READING.

Order for the Second Reading read.

Moved, That the Bill be now read 2ª.

THE EARL OF DERBY, having *presented* Petitions against the Bill of Owners, Lessees, and Occupiers of Property in Finsbury Circus, and particularly one from Mr. Jackson, on behalf of a very important body of gentlemen, the subscribers to the London Institution for the Advancement of Literature and Useful Knowledge, proceeded to say that the facts of the case were nearly the same as stated in all the Petitions; but he wished to draw attention more particularly to that which had been instrusted to him by the Institution which he had just mentioned. For the information of those among their Lordships who were not conversant with its site, he might observe that Finsbury Circus was situated in the heart of the City, adjoining a very poor and densely populated part of the town. The houses in the Circus and Square were occupied chiefly by medical men, clergymen, gentlemen holding appointments in the Bank of England; in short, by members of the higher middle class, whose occupations rendered it necessary that they should live in London, and who chose the site as one of the quietest they could procure. On one side of the square was the London Institution for the Advancement of Literature and Useful Knowledge, which was a very handsome building, and which had been erected at considerable cost. The Institution contained a valuable library, in the selection of which great care and judgment had been exercised. He had heard it stated that the library was second only to the library of the British Museum, and was particularly rich in works on International Law, to which reference was constantly being made; and it would be impossible for the subscribers to find a site in the neighbourhood for the re-constructing of the building. Finsbury Circus was the great resort of the poorer classes on fine days. It was extremely well laid out, and was the only place where, within a moderate distance, the people could obtain healthy exercise and a free circulation of air. There was, in addition, this peculiarity about it:—It was stated by Mr. Jackson in his Petition that an Act passed in the 52d year of the reign of George III. which, while empowering the Mayor and Commonalty of the City of London to grant building leases in Moorfields, provided that certain parts should be left open for the free circulation of air, and that for more than fifty years the owners and occupiers of property in the neighbourhood had enjoyed the use of the Circus thus reserved to them under the provisions of an Act of Parliament which the proposed Bill of the railway company would in effect repeal. Upon a former occasion, when the extension of railways through the most populous parts of the metropolis was discussed, the great complaint that they interfered with the lowest and poorest classes and their dwellings was met by the answer, that whatever inconvenience should be inflicted, it would be more than compensated by the benefit conferred on the City at large by the creation of open spaces where there had been previously densely-crowded neighbourhoods, and by carrying into those localities a freer circulation of air. But now the attempt was made in the opposite direction, for in this case the property proposed to be taken was property occupied by the most respectable persons, and available to an immense mass of other persons living in the neighbourhood. It was an open space of more than three and a half acres in extent. He thought that their Lordships would be astonished if it were proposed to take Grosvenor Square, or Berkeley Square, or St. James's Square for a railway station, and to take every house for that purpose. Yet those squares were infinitely of less importance than Finsbury Circus to the densely crowded population of the City of London. It was proposed, two years ago, that Finsbury Circus should be taken for a great central station; but, in consequence of the resistance with which the proposal was met, the scheme was dropped. It was hard, however, upon private individuals that they should be called upon year after year to defend their rights; and unless Parliament gave some protection, they must ultimately succumb before the capital of these great companies. The arguments against this Bill were—First, that it would be injurious to the London Institution; next, that it would be injurious to a respectable class of persons who had taken and occupied houses in Finsbury Circus under the provisions of an Act which secured it as an open space; and, thirdly, that it would greatly inconvenience the poorest of the population in the neighbourhood, who would have no other place for recreation and exercise. He begged his noble Friend the President of the Council to look at the map while he explained to the House the various lines of railways which were planned to run into Finsbury Circus. In the first place, it appeared that there were thirty railways to be introduced into London itself, occupying a space of 132 miles. They were all supposed to be introduced in the present Session, and were all under the consideration of Parliament. The particular railway to which he wished to direct attention was the Great Eastern (New Metropolitan Station). The North London ran almost from due east to due west. There was a loop from it at right angles, which was a line sanctioned and in progress, and which ran to the immediate neighbourhood of the Circus. This Metropolitan Station line of the Great Eastern came away from the main line at Edmonton, crossed the North London at right angles, and ran side by side with the line already sanctioned to a terminus in Finsbury Circus, within 200 yards of the terminus of the other railway. Now, the rule upon which Parliament had always acted hitherto with regard to the metropolitan railways, was to secure the greatest possible amount of accommodation, at the least possible sacrifice of space; and their Lordships would hesitate to sanction a line which passed through a crowded part of the City, side by side with another line; but it was most important that these railways should be so constructed as to secure intercommunication, without the necessity of encumbering the streets with cabs and heavy waggons, carrying goods and passengers from one terminus to another. How was that object secured by this railway? Last year Parliament sanctioned the Metropolitan Finsbury-Pavement Terminus, which was only separated by about 63 feet from the proposed Great Eastern Terminus. That line was capable of being so connected with other lines as to give complete communication from north to south. Yet, while the level of the Metropolitan was 18 feet below the surface, the level of the Great Eastern was 19 feet above the surface, and their terminus was only at a distance of about 60 feet from the terminus of the Metropolitan. This Great Eastern scheme was resisted by all the inhabitants of the neighbourhood; it was opposed, for sound reasons, as impolitic; it held out no prospect of immediate advantages; it ran side by side with another railway already sanctioned, and it did not appear to possess any such merits as would induce their Lordships to give it a very favourable consideration. The House of Commons had taken the question of these metropolitan railways into serious consideration, and he understood that by an alteration of their Standing Orders the Metropolitan Board of Works were to be allowed for the first time to appear on behalf of the public before the different Committees; the object being that all the lines might be brought into harmony with one another, for the public benefit. He was not aware whether a similar power would be given by their Lordships. Of the thirty Bills, thirteen were to be first introduced here, and seventeen in the House of Commons. He was not aware how they were grouped; but it seemed to him that as one-half would be before their Lordships, and the other half before the House of Commons, it would be impossible to enter into the merits of the whole as one great scheme for intermetropolitan communication. It was quite true that the Board of Trade reported on all these railways, but only on them individually, and not on their merits as a means of through communication.

He wished to know whether it might not be possible so to group the different railways as to put before the same Committee, either in this or in the other House of Parliament, all those which were properly connected together, so that, having the Bills *en masse*, the Committee might judge better of the general merits of the scheme than they could if they were looking only to the merits of a single Bill. He felt very strongly inclined to move their Lordships to reject this Bill on the second reading. He should be glad to hear what could be said in favour of the project. He had not heard a word in its favour, but he was overwhelmed with applications to bring forward the cases of parties who alleged they would suffer by it. If their Lordships thought he had stated sufficient to reject the Bill for the present Session, with a view to ascertain in what manner general intercommunication could be established, he should be prepared to take the sense of the House upon it. If that were thought too strong a measure, the least which could be done was to postpone the second reading for a week or ten days, and in the mean time get a report from the Board of Trade upon the whole of the railways, not in the interests of the companies, but of the public.

Earl GRANVILLE observed, that the inconvenience complained of by the noble Earl was certainly no greater than that sustained by other parties who were affected by land being taken for railway purposes. [The Earl of DERBY: In other cases the preservation of the property and open spaces were not secured by Act of Parliament.] He agreed with the noble Earl that it would be very desirable for their Lordships to follow the example of the House of Commons, and adopt a Standing Order which would give the Metropolitan Board of Works a *locus standi* before Committees on these Bills, and he believed it would be a great advantage if some communication took place between the two Houses for the assimilation of their Standing Orders. The metropolitan railways, no doubt, would be a great public advantage, and the large number of schemes now before Parliament showed what extensive use the public had made of those already in existence. Though it was no part of his business to defend this particular Bill, even if he had possessed the capacity, he could not admit that it would be a fair thing to reject it on the second reading, as was suggested by the noble

Earl — who acknowledged, by the way, that he himself had only seen the arguments against the Bill, and knew nothing of what was to be said in its favour. But the second reading might be postponed for some little time, until noble Lords had had an opportunity of making themselves acquainted with its merits; and he could not conceive that there could be any objection to this course. He quite agreed with the noble Earl that it would be desirable to adopt a Standing Order, which would give the Board of Works a *locus standi* before Committees on such Bills; and also that the Board of Trade should be called on for a general report on the subject.

Earl GREY thought, with his noble Friend the Lord President that it would be taking an extreme step to reject the Bill summarily on the second reading, and preferred that it should be postponed for a short time. The question raised by the noble Earl (the Earl of Derby) was one of extreme importance. He thought, with the noble Earl (Earl Granville), that Metropolitan Railways were likely to be of immense advantage to the public, but all schemes for the purpose ought to be considered together and settled as a whole. He could not consent to submit Railway Bills in groups to a Select Committee of either House, formed as they were at present. Last year he acted as Chairman of a Committee on a group of Railway Bills; and though he gave all his attention to the question, he could not master the business in a manner satisfactory to himself. Therefore his experience in that capacity had convinced him that it was quite impossible for their Lordships adequately to discharge the duties imposed on them in those Committees. The interests of railway companies were becoming so complicated, and the questions raised by competing lines were so difficult and so important, that persons called upon to decide upon them with no more previous experience or knowledge than any of their Lordships could possess were placed in a very unsatisfactory position. The Committee over which he had presided had taken the greatest possible pains to investigate the matters laid before them, but even to the last he was not at all confident that their decision was a correct one. The present system of deciding these questions was most unsatisfactory. It was most important that the policy pursued by Parliament on these matters should be consistent; but how was it possible at present? A group of Railway Bills was submitted one year to one Select Committee, and the next Session the very same questions, in a slightly different form, were brought before a totally different Committee. The result was that the decisions of Committees were notoriously a mere matter of hazard, and companies and all persons interested in railway property were exposed to great hardships. It was said that the London and North Western Railway Company this year was compelled to watch 180 Bills, and the Great Northern 41, and the consequence would be an immense waste of money and a number of unsatisfactory decisions. These things had been much better managed in France, where the Government came to a general decision as to what lines it was desirable to construct, and they were constructed without any of that enormous competition the cost of which was always paid in the long run by the public. The interests of the railway companies themselves could not be a matter of indifference to their Lordships, for at the present moment their receipts amounted to between £26,000,000 and £27,000,000 a year. He could not agree that it would be satisfactory to refer the general subject of Metropolitan Railways to the Board of Trade. The reports made by that Board to Parliament on private Bills had been found to be practically useless, for Committees refused to be guided by reports drawn up in secret by a Department which did not hear the parties. Nothing would ever do but the creation of some competent, well-constituted tribunal which would sit in public, hear the witnesses and counsel, which would pursue a regular settled policy, and would sit all the year round, so that the railway business might not be hurried through in a few weeks. On the advice of such a tribunal Parliament might legislate for railways, just as it now legislated for Inclosures, under the advice of the Inclosure Commissioners. By some such arrangements as this, matters would be put upon a much more satisfactory footing than at present. It was clear, from the number of Bills before Parliament, that a great extension of Railway Bills was most probable, and it was to be hoped that Parliament would not now repeat the mistakes of 1845 and 1846. Owners of property had certainly some right to ask Parliament for protection against the oppression to which they might now be subjected by companies bringing the same schemes year after year before Committees on the chance at last of getting a favourable decision; and such a tribunal as he had suggested might have power to give costs against companies which persisted in putting private proprietors to renewed expenses after a project had once been inquired into and finally decided. The time of Parliament was not likely to be much occupied with other important business this Session, and he therefore thought it would be advisable for their Lordships to take this matter into their serious consideration, with the view of adopting some remedy for the evils which he had attempted to describe.

LORD REDESDALE reminded their Lordships that he had for years been urging on the House the necessity of a properly constituted Railway Board. It was his opinion that neither the interests of the public nor those of railway companies themselves could be properly attended to without the constitution of such a tribunal; and he believed that railway companies, which had formerly shown themselves hostile to such a proposition, were now disposed to view it with favour. To be of any good, such a Board must have great powers. If not, it would not be respected and would not be attended to; and, whatever powers were given to it, must, in the main, be supported by Parliament. He was convinced that both railway companies and the public would be saved a great deal of expense by the action of such a Board; and, as regarded the general interests of the public in respect to railway schemes, there was no part of the kingdom in which they presented a stronger case than in the metropolis, particularly at the present time, when schemes for connecting all the lines coming into London were in progress, either as plans to be laid before Parliament, or as works in actual construction. He held that such a connection could not be carried out in a proper manner by means of a number of different systems carried out by different companies. It could best be accomplished by one general plan. It was possible to have too many lines running through the metropolis. What they wanted was the greatest amount of railway accommodation with the smallest number of lines. With regard to the Metropolitan Railway, which had been so great a success, it struck him that it might hereafter become an insuperable difficulty in matters of sewerage and other such undertakings if underground lines through the metropolis were not carried out on some general plan; and he did not think that their Lordships had sufficient information on those underground schemes at present to enable them to legislate on them in a satisfactory manner. The scheme now under consideration was not one for an underground railway; but, however convenient it might prove for the company which was promoting it and for certain other companies, it was not clear to him that as a metropolitan line it possessed very great advantages, seeing that it would run nearly parallel with a line for which a Parliamentary sanction was obtained last year. That, however, was a question on which their Lordships were scarcely in a position to give a final decision at that moment. But there was another consideration. It was proposed to take Finsbury Circus and make use of it for railway purposes. Were their Lordships prepared to sanction a proposal to do away with the only open space in a crowded part of the metropolis at a time when the State was almost giving premiums to procure places of public recreation? There was the less necessity for this, inasmuch as the railway company could procure a site within 200 yards of the Circus itself, which would answer the purposes to which it was proposed to apply that open space. The Metropolitan Board of Works wanted to come forward in defence of the public interests; but its appearance by counsel before a Committee would add to the expenses of all parties. If their Lordships should arrive at the conclusion that Finsbury Circus ought not to be occupied, the kindest thing they could do, even for the promoters, was to throw out the Bill on the second reading. He did not ask them to do so at once; but, in order to give time for further consideration, he should move that the debate be adjourned for a fortnight.

THE EARL OF HARDWICKE was of opinion that the Underground Railway should be cherished by the inhabitants of the metropolis. It had many advantages that were possessed by no other line in the kingdom—it had both the broad and the narrow gauges; it had spacious stations, and it was covered in from the effects of climate. His own opinion was that all the railways which it was proposed to run through the metropolis should be compelled to keep underground. The question, then, under consideration by their Lordships was one of great moment, for much future inconvenience was sure to be caused to the public if some general plan applicable to all the connecting railways were not adopted. If, in the first instance, the great trunk lines of the kingdom had been marked out in accordance with a uniform plan, much better lines than those which existed might have been constructed; but the character of this country was, if he might use the term, so republican that it was thought every company should do as it liked, and that Parliament should judge of each scheme as it came before it. As to the Board proposed by his noble Friend (Lord Redesdale), he feared it would entail a great deal of expense on the public; and he did not see why the functions which were sketched out for it might not be performed by a branch of the Board of Trade. He had great confidence that this debate would lead to some general measure of great importance to the metropolis.

THE EARL OF DERBY said, he was not disposed to press for the absolute rejection of this Bill, and was quite willing to acquiesce in the suggestion that the consideration of the question should be postponed for a fortnight, and that meanwhile the Board of Trade should be requested to prepare such a Report as would enable their Lordships to form a better opinion upon the merits of the case. It should be understood, however, that the Board would report, not merely upon the merits of this particular line, but of this line taken in connection with those schemes generally. He hoped, also, that the Government would consider whether some tribunal might not be constituted in order to check the variety of projects now brought before Parliament, interposing their deliberate judgment in the introduction of these schemes, and thereby giving to Parliament some more effectual guide and assistance than was now afforded.

EARL GREY suggested that there was great difficulty in calling upon the Board of Trade at such short notice for a Report upon a question of such magnitude. He did not think that the Board of Trade possessed the machinery or the means of coming in so short a time to a sound conclusion upon a matter of such importance; and, in his opinion, the wisest course would be, as had been suggested, to postpone all those schemes for a year, meanwhile appointing a Commission with powers to hear counsel, to examine parties upon oath, to consider the various schemes brought forward, and to submit to Parliament in their Report some definite plan on the subject.

Lord REDESDALE agreed with the noble Earl in thinking that the Board of Trade could not consider so large a question in a fortnight.

Further Debate upon the said Motion adjourned to *Monday* the 9th of *March* next.

GARDENS IN TOWNS PROTECTION BILL [H.L.]

A Bill for the Protection of certain Garden or Ornamental Grounds in Cities and Boroughs—Was *presented* by The Lord Redesdale; read 1ª; to be *printed;* and to be read 2ª on *Thursday* next. (No. 14.)

NAVAL COAST VOLUNTEERS ACT AMENDMENT BILL [H.L.]

A Bill to amend the Law relating to the Royal Naval Coast Volunteers—Was *presented* by The Duke of Somerset; read 1ª; and to be *printed.* (No. 19.)

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

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HOUSE OF COMMONS,

Monday, February 23, 1863.

Minutes.—New Member Sworn.—For Chichester, John Abel Smith, esquire.

Select Committee.—On Public Accounts, *nominated.*

Supply.—Navy Estimates, Resolutions 1, 2, 3, *agreed to.*

Public Bills.—*First Reading.*—Marriages (Ireland) [Bill 32].

Second Reading.—Prince and Princess of Wales' Annuities [Bill 30]; Tobacco Duties (*Debate adjourned*).

VISCOUNT SYDNEY AND MR. BUDDEN.

PERSONAL EXPLANATION.

Lord CLARENCE PAGET:—I have to apologize to the House for alluding to a matter personal to myself, and I will do so in a very few words. I have likewise to apologize for having spoken with regard to this affair on Friday night, when the noble Lord to whom I am about to allude was absent. I was informed on Friday last by several hon. Gentlemen whom I met in the street that a very personal attack had been made upon my public character by the noble Lord the Member for Huntingdon (Lord R. Montagu). I went home and read the paragraph in the paper, which certainly appeared to me to require some answer. There was not only an attack on the Lord Lieutenant of the county of Kent (Viscount Sydney), but an attack upon me in my public capacity as Secretary to the Admiralty. I thought it my duty, at the request of the Lord Lieutenant, to come down to the House on Friday, at four o'clock. Unfortunately, the noble Lord was not in his place; but I thought it my duty to contradict the statement of that paragraph with reference to the appointment of Mr. Budden to a captaincy of Volunteers, and I will therefore say nothing more about it now. But, on the same occasion, I am given to understand that the noble Lord expressed to the House that I had, holding an official public appointment, attended political meetings at Chatham with a veiw to induce the electors of Chatham to vote for a brother-in-law of mine, Mr. Otway. I was informed by several Gentlemen that that was the tone and tenor of the noble Lord's observations. If the noble Lord has been misunderstood, I shall be extremely glad to hear it. I was also informed that on an occasion when I went to Chatham the noble Lord had stated as a fact that I had taken a special train to go down to Chatham, apparently hinting that I had charged that special train to the Government account. Now, I wish to state in a very few words what did take place. In the month, I think, of November last, I was invited by the High Constable of Chatham to meet a large party of naval and military officers at dinner, amongst whom was my gallant Friend the Member for Chatham. I took a return ticket and went down to Chatham and attended the dinner, and a very good dinner it was. It fell to my lot, being the senior naval officer present, to have to return thanks for the navy. And I did return thanks for the navy. I expatiated on the agreeable nature of the company; that there were no politics, happily, to be introduced at the meeting; and I likewise congratulated them upon the fact that some day or other Chatham would be the finest arsenal in the world. Now, that was the whole of the speech. My gallant Friend the Member for Chatham returned thanks on that occasion for the army, and did me the honour to pay me a higher compliment than I deserved. The evening wore on, and that part of the company who had to return to London were about to leave to take the latest train, when the worthy and munificent High Constable informed us that a special train had been placed at our disposal; and we gratefully availed ourselves of the offer. I went down with Sir Henry Drummond Wolff and Mr. Otway, and returned with them to London. No politics were introduced, and that was the only occasion of my visiting Chatham. Now, I appeal to the House whether, under the circumstances, I deserve to be under the censure which the noble Lord has been pleased to throw upon me.

Lord ROBERT MONTAGU: The noble Lord has defended himself, or attempted to defend himself, certainly without rancour, that which, if he will permit me to say so, he committed with a great deal of rashness. I think, however, that on this occasion he has left unanswered many points to which I alluded, and by doing so has admitted their correctness. I had expected and hoped that he would have endeavoured to clear himself from the suspicion of unconstitutional conduct, yet he appeared entirely to let the case rest upon what I did or did not assert about Lord Sydney, and what I might have said, or might not have said, concerning himself. It appears to me, that that is not at all the question. The question for the House is, whether the noble Lord did or did not act in a legal and constitutional manner? What does it matter to the country, whose business we are here to transact, whether I said certain things of him or of the Lord Lieutenant of the county? The country will not care one farthing what was said by a Member who has not been three years in the House, who never held any office, and whose individual opinion is of no account either in the country or in the House. The question about which the country will care, and to which, therefore, he ought to have directed his attention is, whether as a Member of this House, he did or did not act in a legal and constitutional manner? I appeal to the hon. and gallant Member for Chatham whether what I said was or was not correct; and I further ask him to support me now if I am right, and to correct me if I am wrong. But the noble Lord trotted very lightly over the main assertions of my speech, like a man walking barefooted over sharp flints, as if he did not care to bear upon them, for fear of committing himself one way or the other. First, with regard to Lord Sydney, what I said was this—and I carefully guarded myself—that application had been made to him by Mr. Budden, (who became afterwards High Constable of Chatham), for a captaincy of Volunteers, and that Lord Sydney had refused the application on the ground that Mr. Budden was a canteen-keeper. I see by the reports in the papers, that I was understood to use the word "costermonger;" and as the reporters are remarkably accurate, I suppose I did so; but then all I can say is, that it was a *lapsus linguæ*. However, that did not apply to Lord Sydney. He refused the captaincy; the dinner was given to the noble Lord opposite, and after that Mr. Budden received the captaincy. I merely stated the facts. I drew no inference. I never, for one moment, said that those facts were connected together. These are the words: —"The Lord Lieutenant, he was informed, refused, observing that the person in question was a mere costermonger."

Mr. SPEAKER: The noble Lord is not in order in reading extracts from a report of a debate in this House. I am very sorry to interfere in a matter which appears to be of the nature of a personal explanation; but the explanation of a single point which the noble Lord may think due to himself, does not afford him the opportunity of entering into a general statement.

Lord ROBERT MONTAGU: Then I will put myself in order by ending with a Motion. The noble Lord may attack me in the House, that I do not care about; but what I do care about, and what the noble Lord does not appear to care about, is whether he has acted legally and constitutionally, or not? That is the point on which I want the House to judge between us. The noble Lord seems to feel that there is some secret link of association which will connect those two facts together in the mind of every person. Unless he thought there was a connection between the dinner at Chatham and the Lord Lieutenant giving Mr. Budden the office that he desired, why should he have come down to the House and, as it were, raised this tempest in a tumbler? But it is clear that he was conscious that there was some influence used. I do not say the noble Lord himself applied to the Lord Lieutenant—but I say that the Lord Lieutenant was naturally anxious to oblige his brother-in-law. I never said that Mr. Budden was not a respectable individual. I am quite aware that he is so; but he had this disadvantage in the noble Lord's eyes: he was a most strenuous supporter of the Conservative Member for Chatham; and when any one sees those civilities done to another party, he naturally supposes that the object is to detach the individual from the side he had served so long. The noble Lord says I asserted that he went on several occasions to Chatham on political matters. I did not understand that he took his inspiration from a newspaper. I saw only two newspapers, in neither of which I was reported to have used the words which he puts into my mouth. He has been misinformed. I merely said he went down to the dinner. What I said with regard to the special train was that the noble Lord did return by a special train, and that I wondered how it was paid for. I did not assert that it had been charged to the Government account. Although I did ask whether, after all these uncalled for civilities to Conservative electors, it had been taken out of the Civil Contingencies; but this I said by way of joke, without any intention of imputing to the noble Lord any dishonourable conduct. The noble Lord has passed over the most important part of the charge I made against him—that he went to Chatham and promised the electors that Chatham should become "the greatest naval arsenal in the world." [Lord CLARENCE PAGET: No!] I hold the report of his speech in my hand. The statement is not, as the noble Lord alleged, that "some day or other" such would be the case:—it was a positive promise, that "Chatham should become one of the most important naval stations in the world;" that "Chatham was about to possess one of the most important naval arsenals;" that "the basin accommodation at Chatham would be made to surpass all that was to be found in Cherbourg, or in any of the ports of France." Was he not then making a promise to Chatham that it was to have the greatest arsenal in the world, and basin accommodation that should surpass that at Cherbourg? Was not that promising that the House should expend millions of money at Chatham? Would our forefathers have allowed even a King or Queen to promise a large expenditure of public money on any dockyard? Would the House sanction such lavish promises and vows to be made in their name? Would they permit the little engrossers of delegated power to do that which our forefathers would not have suffered in the prerogatives of Royal authority? Of course, the noble Lord was received with cheers at Chatham; and of course warmly welcomed when he made such a promise of the expenditure of public money to their town. He said our navy was never in a better condition for entering into war with the French. The hon. Member for Rochdale (Mr. Cobden) is not here, or he would, I have no doubt, have taken up the cudgels on that point. What right has the noble Lord to go down to Chatham and make irritating remarks concerning the French nation? It may be said that this was only a little indiscretion; but if so, it is only another instance of what we heard so much of last year, and which was known as Ministerial mud-larking. This House has always been most jealous that a Minister should not use his patronage to turn the votes of electors; and yet I appeal to the House whether those words of the noble Lord were not calculated to buy over the electors of Chatham to his side? It may be said that an election was not imminent; but I ask whether every hon. Member of this House did not then entertain the expectation of a general election at an early period of the present Session? And it was then that the noble Lord went down to Chatham and made those promises to the electors. I will not detain the House further, but this I say, that the noble Lord has not defended himself on the only point upon which he was open to attack—namely, that he acted unconstitutionally and illegally; and I think it is the duty of some of the noble Lord's Colleagues to defend him, if he can be defended, on that point. I move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."

SIR FREDERIC SMITH said, that having been referred to by both the noble Lords, he wished to say a few words. With respect to the appointment of Mr. Budden to a captaincy of Volunteers, he desired to state his belief that Mr. Budden was one of the most charitable and respectable men in the county of Kent. He contributed a large sum towards the Volunteer movement, and entered the 9th company of the East Kent Volunteers as a private—the corps, in fact, owed its existence to him; and he became so popular in the corps that they recommended him to the Lord Lieutenant for a captaincy. The noble Lord the Secretary to the Admiralty was in error on one point. He said that Mr. Budden occupied a more important position when appointed to the captaincy than when the application to appoint him was refused. This was the reverse of the fact. Mr. Budden had twice before served the office of High Constable of Chatham. It was when he first served the office that his name was brought before Lord Sydney, who then refused to make him a captain of Volunteers. He did not know why Lord Sydney refused, but he certainly thought that he was wrong in that refusal. Mr. Budden was elected High Constable of Chatham for the third time, and it was on his going out of office that he gave the usual dinner to the court-leet, at which the noble Lord the Secretary to the Admiralty was present. It was a week or a fortnight after he had gone out of office that Mr. Budden was appointed to the captaincy of a Volunteer company. It was for people to draw their own inferences as to the motive. With regard to the dinner, it was the practice of the High Constables to give one on going out of office. When he (Sir F. Smith) happened to be of the High Constable's way of thinking in politics, he was invited to be present; when otherwise, he was not invited. A few hours before the dinner he was told he was to have the pleasure of meeting the noble Lord the Secretary to the Admiralty. He was astonished at the announcement. He was happy to meet that noble Lord anywhere—except, perhaps, at Chatham, and in the company of his (Sir F. Smith's) late, and probably his future, opponent for the representation of the Borough. He dared to say, if the invitation came again the noble Lord would not accept it, for there was not one person at the dinner who did not believe that his presence was a political move. On the late occasion the noble Lord, he was quite sure, accepted the invitation sent to him in his usual off-hand good-natured way, and without thinking much of the consequences. And what were those consequences? The consequences were these:—There was hardly a man in that meeting, who was an elector of Chatham, who did not believe that the presence of the noble Lord arose out of political motives. The noble Lord had his brother-in-law by his side, who was likely to be a future candidate for the suffrages of the constituency, and as Secretary of the Admiralty, the noble Lord held the patronage of the dockyard. Under the circumstances the inference was inevitable. The noble Lord came in company with his brother-in-law (Mr. Otway), and they all knew that the Secretary to the Admiralty had the patronage of the dockyards. However, the noble Lord's presence at such a meeting was not of much importance; for the constituency of Chatham was so pure that it would resist all entreaties, even when coming in the honeyed language of the noble Lord. [*Laughter.*] He would prove that the constituency were pure. He had sat three times for Chatham, and his brother once. They had carried on terrific contests three times against the Government and once with the Government, and he could not lay his hand on the name of a single man who had changed from one side to the other in consequence of the influence of the Government. If that did not bespeak the purity of electors, he did not know what did: they were all to a man true to their colours. When, therefore, it was proposed to deprive the electors of Chatham of their franchise, as was once contemplated by the Government of the day, he thought that a great injustice would have been done to them by such a measure. He thought the House might forget the noble Lord's escapade—for himself, he confessed he wished the noble Lord had not attended the dinner, for he could not help thinking that in that case the noble Lord's brother-in-law would come into the field at the next election with a much better grace. He thanked the House for listening to these remarks. He trusted that the Secretary to the Admiralty would forget the matter, as he should, but he hoped the noble Lord would not go to Chatham again.

Question put, and *negatived.*

SYDNEY BRANCH MINT.—QUESTION.

Mr. Alderman SALOMONS said, he wished to ask Mr. Chancellor of the Exchequer, If Her Majesty's Government intend to act upon the recommendation of the Sydney Branch Mint Committee of last Session, for legalizing the circulation in the United Kingdom of the sovereigns coined at the Branch of the Royal Mint at Sydney?

Mr. THOMSON HANKEY said, he wished also to ask whether Mr. Chancellor of the Exchequer is aware of an Act of the Legislature of New South Wales by which a discriminating duty was imposed on the export of gold, and whether it is the intention of the Government to allow that Act to take effect?

The CHANCELLOR of the EXCHEQUER said, that to reply to the second Question first, he had seen a Bill of the nature described by the hon. Member (Mr. T. Hankey), but he did not know the precise stage at which it had arrived in the colonial Legislature. With regard to the difference it established between coined and uncoined gold, apparently with the view of drawing business to the Sydney Mint, he would observe that the Bill did not make an innovation, but only reduced certain duties now in existence by their relative amounts. With regard to the Question put by the hon. Member for Greenwich (Mr. Alderman Salomons), he had to say that Her Majesty's Government had the disposition generally to give effect to the principal recommendations of the Committee of last Session with respect to the circulation of the colonial sovereign; but he did not wish to give so absolute a pledge on the subject as would preclude the Government from following any advice they might hereafter receive on a more public and general discussion of the subject, because, though it apparently did not involve any great results, yet it was one of considerable importance. It was his intention to have prepared a Bill for the purpose of embodying the views of Her Majesty's Government on the subject, but he had just learned that some circumstances had occurred in the Colony which bear, in an important degree, on the question of their taking immediate steps at home. It was the opinion of the Committee of last year that the Sydney sovereign should be made a legal tender in Great Britain, and an essential part of the arrangement would be that of making permanent provision in that Colony for the establishment of a mint which should be as permanent as though it was a part of the establishment on Tower Hill. He found that, owing to causes which might or might not be connected with the measure, the Bill for making a permanent provision of that character had just miscarried in the New South Wales Legislature, and it might therefore be desirable that they should take time to consider whether they should proceed further until they more precisely knew the intentions of the New South Wales Legislature with regard to this subject.

BRAZIL—MR. VEREKER.—QUESTION.

Mr. LAIRD said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government are in possession of the data upon which Mr. Christie, in his despatch to Earl Russell of the 6th November, 1862, founded his statement that it was "known to the Brazilian Government, as well as to his Lordship," that Mr. Consul Vereker, when he left Rio Grande do Sul, "was in a state of nervous excitement, with a delusion about attempts to assassinate him," and upon which the Marquis of Abrantes, in his note to Mr. Christie of the 20th October, was led to question Mr. Vereker's "infallibility respecting the discovery of crimes;" and, if so, whether there was any objection to lay the documents containing such data upon the table of the House, in continuation of the correspondence relating to Brazil just presented to Parliament by Her Majesty's command?

Mr. LAYARD said, in reply, that he was afraid he should be unable to give any documents containing the data to which the hon. Gentleman alluded. The facts were simply these:—Mr. Vereker, a very zealous public servant, had been called upon to make great exertions owing to the misconduct of the Brazillian authorities, in the matter of the wreck of the "*Prince of Wales.*" The excitement consequent upon what had taken place, together with the effects of the climate, were attended with such bad results upon his health that he was obliged to leave Brazil, labouring under a nervous excitement. Mr. Vereker, however, he was happy to say, was now quite recovered, and would return to his duties shortly.

BRAZIL — THE CAPTAIN OF THE "HOUND" AND THE DISPUTE WITH BRAZIL.—QUESTION.

Mr. HUNT said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any Deposition or other Statement by the captain or any of the crew of the schooner *Hound* relative to the circumstances which led them to inform Mr. Stephens that five of the crew of the *Prince of Wales* had been murdered on the coast of Brazil, as narrated in No. 18 of the Correspondence presented to Parliament on that subject, was furnished to or applied for by the

Foreign office; and, if not, to state the reason for such omission.

Mr. LAYARD said, if the depositions of the captain and crew of the *Hound* had been thought of importance, Mr. Consul Vereker would have obtained them. He believed the vessel was wrecked on the bar at Rio Grande, and consequently at a considerable distance from Albardao. The information given by the captain and crew could only have been derived from what they had heard at Rio Grande.

Mr. HUNT said, he wished to know whether any further information had been given by Mr. Stephens?

Mr. LAYARD said, there had not.

FORTIFICATIONS AT GREAT YARMOUTH.—QUESTION.

Sir HENRY STRACEY said, he rose to ask the Secretary of State for War, Why the Batteries at Great Yarmouth, for which a site was chosen and the land purchased and paid for by Government in the year 1859, and of which the importance to the general trade of the country in the North Seas was pointed out by the Secretary at War in a correspondence with the Mayor of Great Yarmouth, have not been erected?

Sir GEORGE LEWIS said, the harbour of Great Yarmouth was not included in the schedule of the Act on Fortifications, and it was not intended to make any proposal for erecting works there in the Army Estimates of the current year. The works on the Humber and Mersey were thought to deserve the attention of Parliament; but it was not considered necessary to take a Vote for Great Yarmouth.

SALMON FISHERIES (IRELAND) BILL. [BILL 1.] QUESTION.

Mr. ESMONDE said, he wished to ask the hon. Member for Wexford, If, in consequence of the Irish Assizes at present commencing necessitating the absence of several Irish Members, he will postpone his Motion from Wednesday next to a later period?

Mr. M'MAHON said, it was not his intention to consent to any postponement. If he postponed this Bill, there was no open day again till Easter Wednesday, which also happened to be All Fools' Day. If he were to postpone it, therefore, it would be virtually throwing it over. He would, however, press it through on Wednesday, take the report on Thursday, and the third reading, if possible, on Friday. He was anxious to save from poachers on the lower waters some portion of this year's salmon.

POLAND—REPORTED ARREST OF POLISH STUDENTS.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether it is true that three young Polish Students of the French College of St. Cyr, whose names are given, when travelling lately from Paris to Poland, through Prussia, were arrested by the Prussian police at Thorn, and delivered over to the Russians?

Viscount PALMERSTON:—Her Majesty's Government have no information at all upon the subject.

POLAND—THE RUSSIAN AND PRUSSIAN CONVENTION.—QUESTION.

Mr. HENNESSY said, he wished to know, Whether a Despatch has been received at the Foreign Office from Her Majesty's Representative at Berlin with reference to a certain Convention said to have been concluded between Russia and Prussia with respect to the insurrection in Poland; and, if so, whether there will be any objection to lay it on the table of the House?

Mr. LAYARD said, in reply, that he was afraid the Government could not lay that Despatch upon the table. It did not contain a copy of the Convention, but only hearsay evidence with respect to it.

PRINCE AND PRINCESS OF WALES' ANNUITIES BILL—[Bill 30.]

SECOND READING.

Order for Second Reading read.

Moved, "That the Bill be now read a second time."

Sir HENRY WILLOUGHBY said, in the debate upon the Resolutions on which the Bill was founded, he took occasion to state how much he regretted that the accounts upon which the Resolutions were based were not before the House. He still regretted that that information was not supplied, because he held it to be a sound principle that, whenever a grant of money out of the Consolidated Fund was proposed, it was the duty of the Government to enable every Member of that House to understand why they were called upon to vote the money required. It was a singular mode of transacting business that in the account of the proceedings of that

House, upon the same night, a Vote for the expenditure of a considerable sum out of the Consolidated Fund should stand No. 40, and the information on the subject, which was placed on the table in about an hour after, should stand as No. 52. This was an awkward position in which to place Members; for whether the Vote was right or wrong, they were called upon to sanction it, without being able to explain to their constituents the reason for doing so. On a former night he took the liberty of saying that, on his marriage, Frederick Prince of Wales had £50,000 a year out of the Civil List of George II. This was perfectly true—he found that in the 10 *Geo.* II. the 8th section enacted, that as His Majesty had determined to grant that sum out of the Civil List to the Prince of Wales, the annuity should be free of land tax and other charges. Thus they knew as a fact that the original allowance of Frederick Prince of Wales was £50,000 a year, and not £100,000, though it was true that at a later period the allowance was increased. Since the present proposition was made, they had had the opportunity of reading the evidence on which it was founded, and it was obvious, whether £40,000, £50,000, or £60,000 were voted out of the Consolidated Fund, everything depended on the state of the revenues during the minority of the Prince of Wales. Having looked at the document presented to the House, he felt bound to say that he had never read one more creditable or more honourable to all concerned. The trustees had certainly most faithfully performed their duty; and the result showed, not as stated by the noble Viscount at the head of the Government, a net revenue of £60,000, but of something more, though perhaps not to any great extent; for he should be prepared to show that the revenue of the Duchy was £50,000 a year at present, with an accumulation of £600,000. However, the broad question was, whether the proposition submitted to the House was a reasonable one, and he had suspected from the first that it would prove to be so; and now, having considered the document which he had referred to, he came to the conclusion that the proposition was fair and reasonable. It was therefore with great pleasure that he gave his cordial assent to the Bill, and he expressed a hope that the Prince of Wales and Princess of Wales would long live to enjoy the income assigned to them.

MR. W. WILLIAMS said, that in the statement of the revenues of the Duchy he could not find that the accumulated fund of £600,000 was accounted for.

SIR WILLIAM DUNBAR stated, that after the expenses of managing the Duchy property were defrayed, and the public burdens imposed by Parliament and other necessary deductions were discharged, it had been the duty and the practice of the Council of His Royal Highness to pay over whatever surplus remained partly to the Prince's Treasurer, and partly to Trustees, who had from time to time invested the sums so paid over in the public funds. They then became part of His Royal Highness' Privy Purse, and the Council of the Duchy had nothing further to do with them. On the 9th of November, when the Prince attained his majority, the accumulation amounted to £593,000 in Three per Cents, the cash value of which was at that time £547,750. The monies paid to the Trustees having passed beyond the control of the Council of the Duchy, they considered that it was not within their province, even if they had possessed the necessary information for the purpose, to take cognizance of the disposal of monies so paid over, or investments made for the benefit of the Prince, and which properly belonged to his Privy Purse, when making a report to Her Majesty which had exclusive reference to the administration of the affairs of the Duchy of Cornwall.

MR. W. WILLIAMS said, he had the highest opinion of the character and moral qualities of His Royal Highness the Prince of Wales, but he felt—and he thought that the House and the country would also feel—that handing over to the Prince the uncontrolled command of the enormous sum arising from accumulations was not expedient or wise.

MR. WHALLEY observed, with respect to the marriage treaty, that it was remarkable for the omission of the word "Protestant" in describing the future Princess of Wales. He felt more confidence in saying that this matter deserved the attention of the House, inasmuch as on the occasion of the marriage of Her Majesty a like omission occurred, which induced the Duke of Wellington to point out in the House of Lords the importance of adhering to a description which was connected with the foundation of the constitution and of the dynasty, and to move an Amendment to the Address to the

Queen, which resulted in the word "Protestant" being inserted. [3 *Hansard*, li. 14.] On the present occasion he had been saved the pain of interrupting the general harmony, because the House had received a statement from the noble Lord at the head of the Government, which was satisfactory to himself. But he had now to notice another difference between the marriage treaty of the Prince and Princess of Wales and the marriage treaty of the Queen and the late Prince Consort. The third article of the latter treaty provided that the sons and daughters of the marriage should be brought up according to the laws of Great Britain and Ireland, and that expression meant plainly enough that they were to be brought up in the Protestant religion. In the marriage contract of the Prince of Wales a similar clause was omitted. Why was it omitted? He was anxious that the silence of the House on this subject should not lead to the supposition that they were indifferent to the preservation of such an important landmark of the Constitution, or were prepared to dispense with any of those Protestant guarantees provided by the Bill of Rights.

Mr. HOPWOOD said, he wished to know whether the allowances would be paid to the Prince and Princess of Wales without any deductions on account of income tax?

Mr. THOMSON HANKEY said, he thought the House might be misled by a remark of the hon. Member for Lambeth. It was a mistake to imagine that the Prince of Wales would enjoy a large revenue from the accumulations over and above the £100,000 a year which he would derive from the ordinary revenue of the Duchy and the grant of the House. The £60,000, which was stated as the Prince's present income, was partly made up by returns from the accumulated fund. Indeed, even making allowance for those returns, he did not see how the amount was obtained; and his own impression, therefore, was that the proposition of the Government was rather under the mark. It must be remembered that the Prince's outfit would have to be paid for out of the accumulations, and would not cost much less than £200,000. His Royal Highness had to furnish Marlborough House, and to provide all those things which became the dignity of his position.

Sir JOHN TRELAWNY said, it was quite open to the hon. Member, if he thought the Prince of Wales hardly used, to propose an increase of the Vote; but there was another way of looking at the matter, and that was to consider the £40,000 of public money. He held that the accumulations ought to be settled on the Duchy; and hon. Members would say, if a similar case occurred in private life, that it would be an unwise thing to give the heir the accumulations instead of settling them on the estate. He still maintained, as on the former occasion, that on the death of the eldest son of the Crown the Duchy of Cornwall reverted to the Crown for life, and did not pass to the next surviving son.

The CHANCELLOR of the EXCHEQUER: When my hon. Friend the Member for Tavistock (Sir John Trelawny) rose, I was in hopes he was going to qualify the very strong statement he made the other evening. I feel bound to take notice of that statement, not because it involved a personal reference to myself, but because it would be a breach of duty on the part of the Government if they had neglected to inform themselves of the facts of the case. I think the hon. Member delivered himself with a confidence which the state of the case does not justify. I am far from undertaking to give the House a full explanation of the law with regard to the inheritance of the Duchy of Cornwall; but it appears to me, according to the information which I have been able to procure, that this is a question much more difficult to pronounce upon than my hon. Friend imagines. One thing, however, is quite clear, and that is that my hon. Friend is wrong in the very positive assertion which he made the other night, and has now repeated, that on every occasion when the Duke of Cornwall, being the eldest son of the King, dies, the Duchy and the revenues of the Duchy revert to the Crown. It is not at all difficult to confute that allegation; but I will not undertake to explain everything which has happened with regard to the succession and non-succession to the Duchy. The various cases do not seem to me to hang together on any very consistent principle; but no conclusion can be drawn from the facts at all agreeing with the statement of my hon. Friend. Thus much, however, is clear—on the death of Arthur, the eldest son of Henry VII., in the October following a Commission was issued under the Great Seal, not to determine, but to examine the question; and that Commission found that Henry (afterwards

Henry VIII.), the second-begotten son of the King, was Duke of Cornwall. [SIR JOHN TRELAWNY: Look at the charter of the Duchy.] The charter of the Duchy is not the supreme authority in the case. The succession is regulated by an Act passed in the reign of Henry V., and also by the course of practice at different periods of our history. The charter itself came under examination at a more recent period than the case I have already cited. On the death of Prince Henry, eldest son of James I., the charter was judicially considered, and the authorities of that day in the Privy Council again came to a conclusion opposite to that of my hon. Friend. The decision is thus given in *Collins's Proceedings*—

> "In 1613 the question became the occasion of solemn inquiry before the King, and Lords, and others of the Privy Council, the Master of the Rolls, and the King's Counsel, when it was resolved that the words of limitation possessed the more extended meaning of *filius primogenitus existens*, and that upon the decease of Henry, Prince of Wales and Duke of Cornwall, Charles, Duke of York, had, both by reason and precedence, become entitled to the honour, style, and dignity of Duke of Cornwall, which he had and enjoyed accordingly."

There, at any rate, are two distinct precedents, and others might be given. I will not now go into the cases of Prince George (afterwards George II.), or of Prince George (afterwards George III.), eldest son of Frederick, Prince of Wales. I think I have said enough to show that the hon. Baronet was not justified in his very strong and positive statement.

SIR JOHN TRELAWNY said, that he had been at great pains to examine the question, and the celebrated decision of Lord Tenterden supported the view he took.

VISCOUNT PALMERSTON: — Sir, I wish to say a word or two as to the accumulations of the Duchy. As has been stated by my hon. Friend, the total value of the accumulations was £540,000 in money. Of that amount £220,000 has been spent in the purchase of the Norfolk estate, the produce of which is nominally £7,000, but effectively only about £5,000. The cost of the outfit of His Royal Highness is estimated at £100,000. It is calculated that the enlargement of the house at Sandringham, in order to render it suitable to the dignity of the Prince, will involve an outlay of £60,000. Thus we have £380,000 disposed of. Then there are, as is well known, a great number of farms belonging to the Duchy which have been let for "lives," and which are from time to time falling out of lease. The buildings and other appointments upon these farms require considerable repairs, the expense of which will probably amount to from £100,000 to £120,000. These items, therefore, go a good way to absorb the accumulations; and although the money spent in agricultural improvements may render the estates more valuable, there will be no immediate return, and the income will always be liable to certain fluctuations. Therefore my hon. Friend will see that the accumulation of £540,000 will give very little addition to the ordinary revenue of the Duchy. The difference between the ordinary revenue of the Duchy, £46,000, and the £60,000 which is the present income of the Prince of Wales is made up of the rents of the Sandringham estate and some other details. My hon. Friend the Member for Peterborough (Mr. Whalley), being the guardian of certain interests, has raised a question as to the treaty of marriage, which it is quite right should be properly attended to. I can assure him that the omission in the treaty, which he has noticed, does not involve any neglect of that fundamental principle of the British constitution, that the Sovereign and the Royal family must be of the Protestant religion. The treaty of the marriage of the Prince of Wales was founded precisely on that which was made on the marriage of Prince George, afterwards George IV., and as there was no mention in the latter of the article alluded to, it was not deemed necessary to insert it in the present treaty. It was in the marriage treaty of the Queen, but I think the hon. Member will admit that there is a leading principle distinguishing that case from this. A husband has a certain degree of domestic control over the education of his children, and where he is a foreigner it may be quite right that there should be a special article upon that subject. Where, however, the husband is the Prince of Wales, it has not been thought necessary to insert such a condition. But the hon. Member may be assured that there is not the smallest chance of the children of the approaching marriage—I hope there will be many—being educated in any other way than in conformity with the laws of the country and the principles of the Protestant faith. I have only to add, in conclusion, that the incomes of all the Royal family, without any exception, are subject to the income tax.

Motion *agreed to.*

Bill read 2°, and *committed* for *Tomorrow.*

SUPPLY.

Order for Committee of Supply read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CONFINEMENT OF LUNATICS.—HALL *v.* SEMPLE.—QUESTION.

Mr. BUTT called attention to the recent case of *Hall* v. *Semple* in the Court of Queen's Bench, in which he said it was clearly proved that under a certificate signed by two doctors a perfectly sane man might be confined in a lunatic asylum, and asked the Home Secretary whether it was his intention to propose any alteration in the law relating to certificates required in cases of alleged insanity?

Sir GEORGE GREY said, he had communicated with the Commissioners in Lunacy on the case of *Hall* v. *Semple*, asking them whether, in their opinion, the evidence given on the trial suggested the necessity of any change in the law. They replied in the negative. The fact was, that the law was not observed in the case in question; the certificate, on the face of it, was irregular and not in conformity with law; and if the proprietor of the house to which Mr. Hall was taken had examined it, as he should have done, before admitting the alleged lunatic to his asylum, the case would not have occurred. The Commissioners thought the keeper of the asylum had been guilty of culpable neglect, and they had addressed a circular to all the proprietors of private asylums, calling their attention to the irregularity which had taken place. He hoped that the proceedings in the case of *Hall* v. *Semple* and the measures taken by the Commissioners would prevent the repetition of any such occurrence.

DEPORTATION OF NEGROES FROM EGYPT.—QUESTION.

Mr. BUXTON rose to call attention to the purchase and deportation from Egypt of a Negro Regiment by the Emperor of the French. The facts of the case were, he believed, beyond denial. Last year, or at some previous period, the Emperor of the French arranged with Said Pasha, the late Pasha of Egypt, to hand over to him one or more battalions of his Negro soldiers. He understood that the Emperor applied for 1,500 men; however, only one battalion left Egypt before the death of the Pasha. The transaction was one of a very cruel character, for the conscription, as exercised in Egypt, was extremely harsh, and the way in which the Negro recruits were obtained was virtually a kind of slave trade. The Negroes were procured in the upper parts of Egypt by a sort of purchase from the chiefs, and he did not suppose there was a single Negro soldier in Egypt who was not serving against his own will. A conscription could only be excused as a measure of defence, and nothing could justify such a conscription as that he had described, where the soldiers, after being obtained with so much harshness, were sold to a foreign potentate, to be used in whatever manner he pleased. The intention in the present case was that the Negroes should be carried off to the most unhealthy parts of Mexico, there to discharge duties which it was thought French soldiers could not perform without destruction; though there was no reason for supposing that the Negro soldiers of Egypt would not equally suffer from the effects of the climate. It was matter of report what consideration the Emperor of the French gave for the Negroes. It might have been money, but with equal probability it might have been some other *quid pro quo.* The whole transaction, however, could be characterized as little less than a kind of slave trade. Whether purchased for money or not, the Negroes were taken from their homes and families without the smallest prospect of ever returning, and were carried off to perish in a distant country. It would be recollected that the Emperor of the French three or four years ago uttered a beautiful sentiment on the subject of the slave trade. France, he said, would no longer patronize the slave trade, because her mission was to march at the head of the civilization of the world; or something to that effect. The case of the Negro soldiers of Egypt afforded another proof of the fact that when the Emperor of the French delivered a noble phrase something was sure to follow immediately of a directly opposite character. ["Oh!"] At all events, the purchase and deportation of the Negro soldiers was an exceedingly base and cruel transaction, and he had only done his duty in calling attention to it.

VISCOUNT PALMERSTON: My hon. Friend has adverted to a transaction which certainly is a very irregular and unfortunate one, and which in some of the details of its execution is liable to greater censure than my hon. Friend has applied to it. The facts may be briefly stated. The French Government, finding that the exposure of French troops to the climate of Mexico, under certain conditions, was attended with great sickness, thought that by enlisting a certain number of Africans they might get persons more able from their constitution to undergo the trial to which their troops were unequal. They accordingly sent orders to their officers in Egypt to endeavour to enlist 1,000 Africans for service in Mexico. The late Pasha of Egypt was a man of very easy temperament, and was often disposed to go beyond the demands made upon him; and the system of administration in Egypt, I am sorry to say, is tainted in many respects with the barbarous usages of times gone by. Among those usages is the practice of compelling forced labour—the seizure of people, whether they will or no, for purposes of employment. Without any delay the Pasha ordered a regiment of 450 Nubians to leave the fortress where they were stationed, and march down to Alexandria, where they were forthwith embarked on board a French frigate, not knowing why or whither they were going. That was sufficiently irregular, because the Egyptian troops belong to the Sultan. The Sultan is the Sovereign of Egypt, and the inhabitants of Egypt are his subjects. It is not competent for the vassal of any Sovereign to dispose of any portion of his military force without the authority of the Sovereign himself. The Pasha, therefore, had no right whatever to send this regiment of Nubians to serve under a foreign Sovereign without the previous sanction and consent of his own superior. That, evidently, was very irregular, and was not probably the intention of the French Government, because their instruction was that an endeavour should be made to enlist freely a certain number of Africans for service in Mexico, which was to be accepted or declined as the Nubians thought fit. But, not content with this irregularity, the Egyptian Government committed an act which is exactly similar in violence and cruelty to that which has lately been committed in Warsaw. They sent their people out to the streets and quays of the towns, and seized every black man whom they thought fit for military duty or hard labour, without reference to what their former employment had been, tore them away from their homes and families, and embarked them on board a French frigate bound for Mexico. I am speaking, of course, of Nubians, not whites; but Negroes have homes and families as well as their neighbours, and the same attachment to the place of their birth. I cannot help believing that the French Government, who have expressed so strong a condemnation of the system practised in Warsaw and other Polish towns—the system, namely, of seizing people arbitrarily for service in the Russian army—will feel that an act of exactly the same cruelty, or perhaps even worse—for the Nubians were to be carried off to an unhealthy climate instead of being distributed among the quarters of the Russian army—has been perpetrated in a manner very different from that which they intended, and that, as far as it may be in their power to repair the wrong, they will do so. Her Majesty's Government have expressed to the Government of France their opinion that the transaction was irregular, that it was a violation of the rights of the Sultan, and that the Pasha of Egypt was not entitled to dispose of the subjects of the Sultan without the Sultan's consent.

SUPERINTENDENTS OF DOCKYARD POLICE.—AMENDMENT.

SIR JAMES ELPHINSTONE rose to call attention to the case of the three superintendents of dockyard police at Pembroke, Gosport, and Chatham. The case he desired to place before the House was this:—When, in 1860, it was considered desirable to alter the arrangement with regard to the police at the dockyards of Pembroke, Portsmouth, and Chatham, by placing them under the management of the metropolitan police, the three superintendents of police who had filled the offices with credit and attention for twenty-six years, and who had entered the navy, one of them in the year 1803 and the other two in 1805, were superannuated upon the full pay of their respective offices, receiving, in addition to their half-pay, which amounted to £127 15*s*., pensions of £174 per annum granted by the Lords of the Treasury. These pensions they enjoyed from October, 1860, until June, 1861, when their allowances were suddenly reduced by £108 per annum, causing them of course great and serious inconvenience. One gentleman, being a single man, had engaged to allow to his sister and her family the sum of £72 per annum; but after this reduction he would have great difficulty in meeting that engagement. So convinced were the Admiralty of the injustice which had been done to these officers that they had repeatedly applied to the Treasury upon the subject, and it was only as a Department quarrel that the matter now came before the House. He believed that the Secretary of the Treasury would, in defence of the course which had been adopted, point to a rule in the Superannuation Act; but he should call upon the House to say by a division whether, in a case like this, the provisions of that Act ought to be strictly adhered to, or whether they should not ask Her Majesty to restore to these gentlemen the full amount of their pensions as originally granted, with all the arrears which were now due to them. The hon. and gallant Gentleman concluded by moving—

"That this House will To-morrow resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying that the three Superintendents of Dockyard Police who were superannuated on the abolition of their offices be restored to the scale of pension which was originally awarded to them."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will To-morrow resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying that the three Superintendents of Dockyard Police who were superannuated on the abolition of their offices be restored to the scale of pension which was originally awarded to them,"

—instead thereof.

Mr. PEEL said, that he deeply regretted the inconvenience and disappointment which these officers might have experienced from the mode in which their claims to pensions had been dealt with; but he thought he should be able to satisfy the House that the course taken by the Treasury was the unavoidable course under the circumstances, and strictly in accordance with what was contemplated by the Act of Parliament relating to compensations. The hon. and gallant Member had correctly stated that the appointments held by these officers and others were abolished when the dockyard duty was transferred to the metropolitan police. The claims of persons entitled to superannuation were submitted to the Treasury on printed forms intended to elicit information on various subjects, and, among others, whether the applicants are in receipt of half-pay or compensation allowances of any kind. As it appeared from the printed particulars of the case of these officers, that they were not receiving anything in the shape of half-pay at the time, the grant from the Treasury was fixed according to the ordinary scale of 1-60th of their civil salary for every year they had served. These officers had served twenty-six years, and ten years additional were granted as compensation for abolishing their offices, making their total pensions equal to 36-60ths of their civil salary. Their salary being £250, with a house of the estimated value of £40, they became entitled, according to this scale, to a pension of £174, which was accordingly granted in December, 1860. About five months afterwards, Captain Grey, Superintendent of Telegraphs to the Admiralty, who was pensioned in 1848, wrote to request that his case might be reconsidered, on the express ground that the officers in question had received pensions for their civil service, irrespective of the half-pay to which they were entitled. That statement took the Treasury entirely by surprise, but they lost no time in inquiring of the Admiralty whether it was true, as stated, that these officers were in receipt of half-pay; and it turned out that such was the case, some misunderstanding with regard to the printed forms having taken place, and the officers not having been in receipt of half-pay at the time they sent in their replies to the Treasury. Under these circumstances the case fell under the provisions of the Superannuation Act, which distinctly and peremptorily provided that no officer receiving half-pay should obtain a pension in respect of his civil services larger than would amount with his half-pay to two-thirds of his civil salary. The Treasury, therefore, were obliged to retain in their hands the amount in excess of this scale which had been improperly granted, and in adopting this course they had no discretion whatever, as the wording of the Act was imperative. If these officers were allowed to receive their half-pay in addition to the pension granted by the

Treasury, the result would be that they would now be in receipt of a larger income than they had been during their twenty-six years of active duty.

Sir JAMES ELPHINSTONE asked the noble Lord the Secretary to the Admiralty, whether that Department had not repeatedly pressed upon the Treasury the propriety of making some concession in favour of these officers?

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

THE TRANSPORT SERVICE.

QUESTION.

Mr. LINDSAY, in calling attention to the state of the transport service, with the view of inquiring why it was that the recommendations of the Transport Committee of 1860-1 had not been carried into effect, stated that the Committee in question unanimously resolved to recommend that some important changes should be made in the mode in which it was conducted, and recommended its consolidation. That service now, and for several years, had been conducted by various Departments—the Admiralty had one portion, the India Board another, the Emigration Board another, and occasionally the War Office and the Commissariat each another. The consequence was that these different Government Departments were continually bidding against each other in the open market, and thus they had five Departments doing the work which a single Board would effect on much more economical terms. The changes which the Committee recommended were for the consolidation of this branch of the service, and to ensure more direct responsibility; for if a complaint was made now, the Admiralty referred the party to the War Office, who sent him to the India Board, who, very probably, referred him back to the Admiralty. The state of things was now just what it was at the commencement of the Crimean war. There had been no change since that time; and if we were unfortunate enough to be involved in a great war with such another Power as Russia, there would be the same confusion as in 1854. What was the use of this House appointing a Committee if their recommendations were not attended to? The Committee in question sat two Sessions, and unanimously agreed that certain changes should be made; yet three years had elapsed and beyond some slight alterations no changes had been effected. He hoped to hear from the noble Lord that some arrangements had been made for carrying out the recommendations of the Select Committee; or, if that had not been done, the House should know why those recommendations had been allowed to lie dormant for the last three years. He was glad to find that there was a reduction in the Navy Estimates of £1,000,000, but he must say that he should have been still more gratified if there had been a reduction of another million.

Mr. BENTINCK said, that if his hon. and gallant Friend (Lord Clarence Paget) gave good reasons for this reduction, he should join the hon. Member for Sunderland (Mr. Lindsay) in rejoicing at it; but he must say, that as far as he knew the state of things which existed at present in foreign countries, he could see no reason for rejoicing in the proposed reduction. What had been the course of things in that House for years upon this subject, and which he was afraid was likely to continue for many years to come? It had been acknowledged, for many years, that the naval defences of this country were inadequate, and that the introduction of a new description of vessels must necessitate a great additional expenditure on the navy. The country had submitted to this additional outlay for the sake of the security of the country. And what now happened? It seemed of necessity that there should be alternations of hot and cold fits over the House in reference to the expenditure for the navy; the cold fit seemed now to be coming on, and there was to be a reduction in the Estimates. Now, what was the reason for these reduced Estimates? He did not attach much importance to what he heard out of doors, but still he would mention that he had heard two reasons suggested for the reduction. In the first place, it was said that the Chancellor of the Exchequer, who was not much disposed to encourage expenditure for objects of this kind, had insisted upon large reductions in the Army and Navy Estimates; and then, further, there was the rumour that the Government were apprehensive of a certain coalition, which, if it had ever been possible, could only have been entered into in disregard of the interests of the country. If this reason had had any influence in reducing the Estimates, he must venture to think that the Government had been under a misapprehension of the risk likely to arise from such a source. He did not think that the House would have supported any such combination for attacking the Government upon the ground that they were laying out too much money for the defence of the country, and he believed that they would have followed a more prudent and popular course if they had maintained the naval expenditure at its present rate—always assuming that that rate was necessary to efficiency. If, however, good grounds could be shown for making the reduction, he should be glad to hear that it had been found possible to make it. Now, what would be the effect of this reduction? Why, the same thing that had happened over and over again before—that having laid out large sums of money to put our naval defences in a state of efficiency, all at once the cold fit comes upon the House, and suddenly, apparently without rhyme or reason, large reductions are made. And the result of this was, that upon the occurrence of any feeling of panic in the country, or upon some sudden emergency happening, the Government were compelled, in order to replace that which they had lost by reduction, to spend five times as much money as it would have cost to keep the navy in a state of efficiency. Work that had to be done in a hurry was always badly as well as expensively done. This was strikingly illustrated by what happened after the great reduction in the Navy Estimates in 1835. Every shilling of reduction on that occasion ultimately cost the country many pounds. Seeing the enormous expense of what was miscalled economy, he contended that they had a right to have clear and explicit reasons for reduction before they could say that it was justified by the circumstances. Another matter to which he wished to refer was this. He found that there were to be no further contracts for the construction of large iron-sheathed ships, though he did not mean to say that those which were now in course of construction were not to be completed. Now, a great deal of time was required for the construction of ships of this kind and if an emergency should arise; which rendered a large number of such ships necessary, the work would be done in a much more expensive and at the same time in a much worse manner than if done at leisure. He had no doubt he should be told that there was no necessity for building iron-sheathed ships, because we had as many of that class as the French had; but that seemed to him to be a very unsound and dangerous argument, for this country was not in a proper position of defence when it was merely on an equality with France. In considering naval matters they of course always had in their minds the contingency of a war with France, for that was the next greatest naval Power; but it should be borne in mind that a war with France would have the effect of bringing this country into a state of war with other countries. In the event of a war with France the Northern States of America would, if they had a man or a dollar left, instantly go to war with us; and he therefore ventured to think that it was a dangerous argument to say that we did not want more iron-sheathed ships because we had as many as France had. He hoped he might be allowed to say a few words in reference to the French navy. He found that there was a great deal going on in the French dockyards which was never adverted to in that House. He wished to tell the House that there was a particular class of vessels building in the French dockyards in great numbers. They were building these vessels—he did not say with any present intention of going to war with this country, and, indeed, he believed that that was not the present intention of the French Emperor, whose object he thought was to keep at peace with us—but this impression was no ground why we should not look closely into their means of aggression in the event of war happening. He had taken the trouble to ascertain the facts from an authentic source, and he found that they were constructing in the French dockyards a large number of cavalry transports of very great tonnage and horse power, admirably fitted up for carrying between 300 and 400 horses each and a certain number of troops in addition. There would be, at the end of this year, forty-four of these vessels complete and ready for sea, and he had it upon the authority of the officials in the French dockyards, that they hoped in a very short time to have one of these vessels named after every Department in France. He should like to know for what possible purpose the French Government could deem it necessary to go to the enormous expense of building this particular class of vessels, except for the purpose of being able to act efficiently in the event of circumstances compelling them to go to war with this country. Could anybody suggest any other country into which France could ever want to send a large force of cavalry by means of such vessels. Not certainly to Mexico; nor could they want them to convey cavalry into Italy or across the Rhine; and he should like to know what the impression of the Government was as to what could be the intention of the French Government? It seemed they could only be utilized in an invasion of England. There was another point which he should wish to call attention to. He had had an opportunity, during last summer, of inquiring as to the number of workmen and artificers employed in the French dockyards; and he might mention that they made no secret of the matter—everything was perfectly straightforward and open, and every one was quite ready to tell you all you wished to know. He found that the artificers and labourers in the whole of our dockyards were 10,700 odd, and altogether, perhaps, there might be 12,000 or 13,000 persons employed; whilst in the two dockyards of Brest and Rochefort alone there were 11,000—there were Cherbourg, L'Orient, and Toulon besides. No doubt it would be said that the French were not exceeding us in their expenditure in their dockyards, because their navy did not cost as much as ours; but when this was said, hon. Gentlemen never adverted to the fact that the cost of labour in this country was somewhat more than double what it was in France, the exact proportion being this—that in France the cost was 2-5ths of what it was in this country. They had, therefore, in two out of five or six dockyards in France, nearly as many workmen as there were in the whole of our dockyards; and he was bound to say that there was more actual work done in France, with the same number of men, than in England. Another thing which must be borne in mind was that the French required but few vessels, compared with what we required for colonial purposes. He wished to avert to one other point. The hon. Member for Sunderland (Mr. Lindsay) had told them that Committees of that House were useless; and the most glaring example of their inutility was the Committee appointed to inquire into the system pursued by the Board of Admiralty. He contended, that so long as the present constitution of the Board of Admiralty continued, it was impossible—even whilst giving the Board credit for its best intentions—that a wise, judicious, and economical expenditure could ever be established. Well, then, what do they do? They usually went contrary to the practice adopted in every other Department of business, which was to select for the head of the Department a person most likely to know something about it. After having elected some gentleman to preside at the head of the Admiralty, without reference to the knowledge and ability necessary for the efficient discharge of the duties, they then appointed a certain number of naval Lords who had virtually the direction of the Board without its responsibility. The responsibility really rested with the First Lord, who might be a person utterly unacquainted with the details of the Department. That distinguished functionary was compelled, for the first year or two of his official existence, to lean for support and advice upon the professional men who were in his confidence. What happened next? Just as this high official was becoming somewhat acquainted with the details of his Department a change took place in the arrangements of the Government, and he was turned out of office, to be replaced by another distinguished politician, equally ignorant of the duties of his vocation, and compelled to place himself under the direction and advice of others in order to learn his business. Now, so long as the Board of Admiralty was made a political job office it would be impossible to have any one continuous or consistent system of expenditure or any continuous system of control over it. Even under the present system, with the First Lord fully acquainted with all the details of his office, thoroughly competent to discharge its duties with the greatest efficiency, and assisted by Lords possessed of the necessary knowledge and ability, the Board was liable to the contingency of being changed in a short time. Under such circumstances, the principle invariably acted upon by the succeeding Board was to upset the system of its predecessor, and to adopt a different system altogether. The dockyard authorities, whose extravagance demanded some supervision, were always too glad to encourage this change of officers, in order to save themselves from that supervision which they so much dreaded. So long as such a system lasted, it was impossible to establish any efficient or effective investigation into those sources of extravagance which were constantly at work in all our dockyards. A Committee sat upon this subject some few years ago. He dissented from the Motion for the appointment of such Committee, believing that it would prove utterly useless. The result proved the truth of his prediction. The Committee was composed almost exclusively of officials and ex-officials; so that, in fact, it became a body of men who were sitting in judgment upon their own conduct. It was impossible that such a Committee could arrive at any useful conclusion. He had ventured to say that it would prove a broad farce, and would do nothing. Well, that Committee sat throughout the Session and did nothing. When the House met in the following year, the gallant Officer who had moved for the Committee was so convinced of the utter absurdity of such a Committee that he declined to move for its re-appointment. He (Mr. Bentinck) sincerely hoped that no hon. Member would ever move for its re-appointment. He should, however, like to see a Committee of men appointed who would be competent to deal with the subject—not men who would be compelled by circumstances to prejudge the question. He contended that no officials or ex-officials were competent to sit as members of such a Committee. Until the House was willing and determined to appoint a Committee fairly constituted, and resolved to investigate the subject thoroughtly, it was utterly useless to propose any modifications of the system under which the Board of Admiralty acted; and whilst the present system continued, the annual discussions that took place in that House on the subject of economy in the public expenditure would be entirely and utterly fruitless.

THE IONIAN ISLANDS.—QUESTION.

Sir FREDERIC SMITH asked the noble Lord the Secretary of the Admiralty, Whether he had any objection to place upon the table of the House the Correspondence that took place in the years from 1808 to 1813, inclusive, between the Admiralty and the naval commander-in-chief in the Mediterranean, respecting the advisability of having a harbour in the Adriatic for the use of the British fleet? He was desirous that the Correspondence should be produced, as he believed it would be of material value in a discussion that must take place shortly respecting the cession of the Protectorate of the Ionian Islands. When Napoleon obtained possession of Corfu in consequence of a secret article of the Treaty of Tilsit, he was so impressed with the importance of the Island that he despatched one of his best officers to hold it. There was not only a long Correspondence between the Home Government and the military commander of the British Forces in Sicily, but also between Lord Collingwood and the Admiralty, and in the latter Correspondence he thought they would find the opinion of Nelson as to the necessity for our possessing a port in the Adriatic for the use of our navy. Sir Charles Rowley in 1811, when in command of a squadron in the Adriatic, made a report, in which he stated his opinion, that if we did not obtain possession of Corfu, it was of importance that we should have the Island of Lissa, which would require but a small garrison, while Corfu required a large one. He hoped that the question of the surrender of the Ionian Islands would be well considered, as it was of great importance upon naval and military grounds. It was true there was a great difference of opinion among officers upon the question, many believing, that as we retained Malta, we did not need Corfu, and he himself was disposed to entertain that view. He should be glad to see the garrison of Corfu withdrawn, and one portion of it sent to Malta and another to Gibraltar. Still he thought it would be proper to retain some island like Lissa, where a small garrison would suffice, and to which vessels could run for repairs and for water without having to proceed to Malta. He hoped there would be no objection to the production of the Correspondence.

VICE CONSUL AT ABBEOKUTA.

QUESTION.

Mr. DIGBY SEYMOUR called attention to the fact that a British Vice Consul was commissioned last year for Abbeokuta, in Western Africa; that on his arrival, and presenting his credentials to the native authorities, he was peremptorily refused permission to remain in that capacity, and was compelled to return to England; and asked the Under Secretary for Foreign Affairs, Whether he could explain the cause of this rejection of a British representative, and whether any steps had been taken by the Foreign Office in consequence? Abbeokuta was about eighty miles from Lagos, and was a place of considerable consequence in relation to the slave trade. Last year a Mr. Taylor had been appointed Vice Consul there. On his arrival he caused a communication to be made to the King of Abbeokuta announcing his arrival and his office. The King, in the presence of his chiefs, ultimately gave him an audience. Mr. Taylor was first asked whether he was a merchant, and then whether he was a missionary. Having replied in the negative, to both of these queries, he proceeded to explain the objects of his presence in that place—namely, to facilitate friendly relations with the King, and to encourage the commerce of the country. The King then informed him that he could not receive him in the capacity of consul. Mr. Taylor, having returned to his residence, received an intimation, that unless he quitted the place before night, the roof of his house would be burnt over his head. He thereupon immediately returned to England. Now, several reasons were alleged for this conduct on the part of the African King. One was that he was incensed at the conduct pursued by certain British officials in respect to his mode of dealing with his chiefs. It was stated that two of his wives had escaped from his court, and taken refuge at Lagos. The ladies being pursued by some of his chiefs, they were arrested at Lagos, brought up prisoners before the court there, and were sentenced by the authorities of Lagos to three months' confinement and hard labour. Remonstrances against this treatment, it was alleged, were made; but without success. This was said to be one cause for the irritation of the King towards this country. It was also said that the King was indignant at our sending a consul into his dominions without any previous intimation on our part that we were about to take such a step. The position of Abbeokuta, in the centre of a great cotton district, made it a matter of the greatest importance to us to have a representative stationed there. The place had a wall around it eighteen miles in extent, and contained a population of 150,000. The hon. and learned Gentleman concluded by putting the Question.

LORD CLARENCE PAGET, in answer to the hon. and gallant Member for Chatham (Sir F. Smith), said, that there was no objection to produce any correspondence which the Admiralty might possess on the utility of the Ionian Islands. He had been unable to find anything of interest on that subject; but if the hon. and gallant Gentleman would himself call at the Admiralty, he could look at the papers; or if he would give him the dates, search should be made for them.

His hon. Friend (Mr. Lindsay) asked why the recommendations of the Transport Committee had not been carried out? The transport service of the Admiralty was admirably organized, and they would willingly undertake the transport both of the Indian and Colonial Departments. But the Indian Department objected, and the Colonial Office also gave reasons (which were laid on the table of the House last year) against the emigration branch coming under the Admiralty. The hon. Member for West Norfolk (Mr. Bentinck) had re-opened the question of the composition of the Admiralty. He did not think that was a matter which could be advantageously discussed on the present occasion. The hon. Member complained that the members of the Board were constantly changing. Well, the present members of the Board did not desire any changes. They were perfectly willing to remain at their posts, so that he quite agreed with the hon. Member on this point. He also alluded to the reductions made in the navy this year, which he said resembled the reductions in 1835. [MR. BENTINCK: No.] If the hon. Member would allow him to make his statement in Committee on the Naval Estimates he should, he hoped, succeed in convincing him and the House that the Estimates, had been reduced without any injury to the efficiency of the navy. The hon. Member said the Government proposed very large Estimates one year, and that then, if a cry for economy arose, they suddenly reduced them below the proper point. The course of the Government, however, had been very fair and uniform. The year 1860-1 was a year of reconstruction, and saw the Navy Estimates at their climax—£12,836,100. Next year they were reduced to £12,640,588. In 1862-3 they were again reduced to £11,794,305; and now the Government proposed to reduce them to £10,736,000. These successive reductions had been gradual, and had been attained without injury to the navy. The hon. Member had also alluded to the French transport service. The Admiralty were, of course, aware that the French were building very magnificent transport ships, for cavalry as well as infantry. But the hon. Member for West Norfolk talked as if the Admiralty could stop the building of these vessels. They had no power to interfere. The French Government thought it necessary to possess these transport ships, and it was only just to remember that they had not the facilities which the Government of this country possessed in our mercantile marine. The French had a large colony in Algiers, and they required, from time to time, to transport large bodies of troops to that country. Then the hon. Member told the House to look at the French dockyards, and charged the Admiralty with reducing the strength of the dockyards to 10,000 or 13,000 men. The fact was, the Admiralty were employing 16,600 men in the dockyards and factories. They were also having large works executed by contract; so that they employed altogether more men than the hon. Gentleman supposed. He would, however, reserve his full explanation for his official statement.

Mr. LAYARD, in answer to the hon. Member for Southampton (Mr. D. Seymour), said, he could not pretend to say what were the true motives which had actuated the King of Abbeokuta in declining the presence of a British Vice Consul. The motives alleged were first, that we had not given him the assistance which we ought to have done in his war with the King of Dahomey; and, secondly, that Mr. Taylor's arrival had not been announced in a proper manner. In point of fact, however, the head men of the tribe had requested Mr. Taylor to be sent, and it was therefore foolish to say that the Abbeokutans had not received due intimation of his arrival. He (Mr. Layard), however, believed that the true reason that had influenced the King in his conduct to Mr. Taylor was, that he had not been behaving well of late, and we had been obliged to give him a little good advice. The Abbeokutans had been carrying on a very unnecessary war with a friendly tribe, and had mixed themselves up with the slave trade, and had also plundered a considerable amount of property belonging to Dr. Bakie, who was stationed on the Niger. The chiefs were very angry with us for remonstrating with them on these subjects and demanding reparation; they declared they would not have any Englishman living amongst them except in the capacity of a merchant or of a missionary; they had those two classes of persons established in the country, and they did not want a third. They had treated Mr. Taylor in a very unbecoming manner; but the Government had no fault whatever to find with that gentleman. The Government had informed the Abbeokutans that they must apologize for their treatment of Mr. Taylor, and make reparation not only for the pillage to which he had already referred, but for the robbery and murder of certain British and Lagos traders committed since Mr. Taylor's expulsion. With respect to the two wives, he feared he had no satisfactory answer to give the hon. and learned Member. He had better apply to the Colonial Office.

Mr. KINNAIRD said, he had made inquiries as to any wish or attempt on the part of the missionaries to interfere, and found it quite a mistake. He was convinced it could be shown that Mr. Townsend was not unwilling, but was anxious, that a Consul should be appointed, and he had hoped to hear that the Government had made arrangements to secure the presence of a Consul in that place.

FLOGGING IN THE NAVY.

OBSERVATIONS.

Mr. W. WILLIAMS wished to draw attention to the great increase of flogging which had taken place in the navy during the last year. He found that the number of men flogged was 1,076, and the number of lashes was 36,463. Last Session a great deal was said about the impropriety of allowing seamen to be flogged without sentence of a court martial, but he regretted to find the rule had not been adopted. In the previous year the number of men flogged was only 764, and the number of lashes to which they were sentenced was only 26,000 odd. In 1852 there were only 575 men flogged, and the number of lashes was 17,500 odd. He hoped the attention of the Government would be drawn to the increase that had taken place in this degrading punishment.

Main Question put, and *agreed to.*

SUPPLY.

Supply *considered* in Committee.

THE NAVY ESTIMATES.

LORD CLARENCE PAGET: Sir, if I were to state to the Committee, that I was in a position to propose to them a considerable reduction of the Navy Estimates, without being able at the same time to show them that the reduction would be carried into effect without interfering with the efficiency of the service, I do not think I should be making a statement which would furnish a subject for congratulation to the House or to the country. If, however, I can show you, that owing to the great generosity of Parliament, we have been enabled to make enormous exertions during the last few years, and to place the navy, both as regards *personnel* and *matériel*, on a satisfactory footing, then I may, I trust, be allowed to possess a fair claim to congratulate the Committee on the prospect of our maintaining it in that position, while we effect a great reduction in our outlay for the purpose. That the navy was never in a more efficient state than at the present moment, both so far as the seamen are concerned and so far as relates to our progress in the construction of that class of ships which has lately come into vogue, I can, I think, notwithstanding the suspicions of my hon. Friend the Member for West Norfolk (Mr. Bentinck), without difficulty prove. I may add that during the debates which may take place on the subject I shall, if possible, refrain from alluding to other Powers at all, for I have found that comparisons between our naval resources and those of foreign nations produce somewhat of ill-feeling. I therefore deem it desirable that we should confine ourselves as much as possible to our own affairs.

Now, Sir, the total Vote which I have to propose to the Committee for the naval service for the year 1863-4 amounts to £10,736,032, the Estimate for 1862-3 having been £11,794,305, showing a decrease of £1,058,273 in the Estimate for the present as compared with that for the last year. This decrease will be found to pervade the whole of the Estimates with a few exceptions, the only real increase which occurs under any head this year being in the Vote for the transport service—a Vote over which, as the Committee are aware, the Admiralty has no control, inasmuch as the instructions on which it depends emanate from the War Office, and we are bound to carry them into effect. The cause of the increase in the present instance is mainly due to the removal of troops in large numbers to distant stations. There are, for instance, two regiments to be sent to New Zealand and others to be brought back, the cost of which proceedings is no less than £61,576, exclusive of the cost of the sustenance of the men. This will give the Committee an idea of the expense of removing men to our distant stations. In most of the other Votes there is a decrease. In Vote No. 1—that which has reference to the Wages of the Seamen—there is an apparent decrease, but not a real one. I have seen it, indeed, stated in some of the public journals that we were about to reduce the pay of the sailor; but that is not the fact. We propose the same Vote for seamen as before, but I have taken certain liberties in framing these Estimates, which I shall now explain. The effect of the change which I have made will, I think, be found to be advantageous, and I will briefly state in what it consists. First of all, there is connected with each Vote an explanatory statement, which is a mere matter of account, and which I have removed to an Appendix at the end of the Estimates. From Vote No. 1, also, I have transferred certain items which appertain to the Victualling Vote (No. 2), and which relate mainly to bedding, clothes, and a variety of matters of that nature, which, in my opinion, ought years ago to have been so transferred. If, therefore, the Committee will follow me, they will see that so far from there being any decrease in Vote No. 1 it is in reality the same, and that we simply transfer a certain sum to Vote No. 2. Taking the two Votes together, however — that for the victualling and the pay—you will observe that there is on the two a decrease of £101,277. This decrease is due principally to the fact that almost every article supplied to the seamen in the shape of provisions is much cheaper at the present time than was formerly the case. There is, indeed, one article—vinegar—which is rather dearer than formerly; but as it is not much drunk in the navy, its increased cost is not a matter of very much importance; while, the price of all the other articles having been reduced, we have been enabled to effect a considerable reduction under this head. The next Vote on which there is any important decrease is that for Artificers; and if my hon.

Friend the Member for Norfolk would have the goodness to attend to me for a moment, he would, I have no doubt, be disposed to lament the cause of reduction as much as I do. It is due to the great decrease in the manufacture of sails—canvas, to the regret of all lovers of sailing, has given way to coals. In Vote No. 10, for Naval Stores, there is a decrease of £410,133, of which the greater part is for timber; and I may state that this reduction has not been forced upon us by any pressure of the Chancellor of the Exchequer, but arises from the circumstance that we have at last got a stock of timber worthy of the country, there being no less than 112,000 loads of old timber on our hands at this moment—a position which I do not believe we were ever in before. In the Controller's Department we ask for a less sum this year by £300,380 for steam machinery; because the engines already ordered are in a very advanced state, and there is at present no very pressing demand for steam-engines. Upon "Ships building by Contract" we ask for a considerably less sum than last year; and, moreover, we do not propose any new construction of iron ships in the coming year; but at a later period I will explain what we are doing in that respect. The next Vote upon which there is a decrease is upon Vote 11, for New Works. I see the hon. Member for Portsmouth (Sir James Elphinstone) in his place, and I confess I expect some complaint from him with regard to what I am now about to mention. The fact is, that in deference to the opinion of this House, the Admiralty have seriously thought whether they ought or ought not to construct a large basin at Portsmouth. It would undoubtedly cost a very large sum of money; and before I or whoever may occupy my position asks a Vote for this purpose, it would be requisite to lay before the House full and detailed plans, showing the whole cost of the works. We had intended to propose it this year, and to insert the sum in this year's Estimates. I must take upon myself some part of the blame—though it must be shared by the Law Officers of the Admiralty—that it is not inserted; but the fact is, we found at the eleventh hour that it was necessary to pass a private Act of Parliament in order to enable us to commence the works, though I had supposed that as the property belonged to the Admiralty, we might at once have proposed a sum to the House; but when we discovered our mistake, it was too late to comply with the Standing Orders, and therefore the amount we intended to ask was erased from the Estimates. But, Sir, we proceed vigorously at Chatham. The noble Lord (Lord Robert Montagu) will, I hope, now give me credit for great anxiety in pushing forward the works at Chatham, and accordingly we shall do as much work there during the next year as we possibly can. We therefore propose to take for the works at Chatham as large a sum as we can expend. We likewise propose to take a considerable sum for the new long dock at Malta, in addition to the dockyard. The Maltese authorities have been in communication with the Imperial Government, and they have proposed to contribute a portion of the expenses for the works which we intend to construct at the head of the great harbour. I will be ready by-and-by to give further explanations on this subject. But, Sir, there is a public work which the Admiralty has not ceased to desire, inasmuch as it is one which will be absolutely necessary at some future time. If, in the event of war, you mean to have your naval business conducted with vigour and despatch, it will be necessary to have the Admiralty offices amalgamated and brought under one roof. That matter has been under the consideration of Her Majesty's Government. We volunteered to go to Somerset House; but we found that the alterations necessary would cost a great deal, and there were other important reasons to be urged against such a step; and I am sorry to say we do not as yet ask for any sum for that purpose, important as the measure is. Now, Sir, having given a general sketch of the principal items of decrease in the Naval Estimates for the coming year, the Committee will permit me to give some account of the numerous details of various branches. And, first of all, with regard to the construction of ships. Sir, I have laid upon the table of the House the usual annual Return of the number of steamships afloat and building; and as the Return is rather a long one, I will not, unless it be desired, go through its details, but will shortly state we have now under construction and at sea, twenty-one armour-plated vessels. I will endeavour to show how soon the ships under construction will be ready for sea, and the progress we intend to make in the further construction of iron-cased ships. The House is aware that we have at this moment at sea the *Warrior*, the *Black Prince*, the *Defence*, and the *Resistance.* They have been tried under various circumstances, and I am happy to assure the Committee that the reports concerning them are very satisfactory. They are all good sea-boats. One of them, which I remember, was very much criticised last year—the smaller one—the *Resistance*, has proved herself the fastest of the whole under canvas. Now, smaller ships have various advantages over larger ones; and in saying this I do not mean to detract from the merits of the *Warrior*, the child of my right hon. Friend (Sir J. Pakington). I believe the hon. Member for Tynemouth (Mr. Lindsay) has seen the *Warrior* at Lisbon, and can give a very good account of her. [Mr. LINDSAY: Hear, Hear!]

SIR JOHN PAKINGTON:—What is the speed of the *Resistance?*

LORD CLARENCE PAGET:—Her speed under steam is 11½ knots an hour; but the trials that have been made have been principally with a view to try their going in a circle their action with respect to pitching and rolling, and their general sailing qualities. Those ships have just returned from their cruise to Lisbon. The *Royal Oak* will probably be ready for sea in May, and the *Prince Consort* in June. Both these vessels are wooden line-of-battle ships converted into armour-plated, and about 4,000 tons. The *Hector*, an iron ship of intermediate size between the *Warrior* and the *Resistance* class, will be ready for sea in July. I do not say that all these ships will be commissioned as soon as they are completed; my object is to show when they will be ready. The *Caledonia*, another of the wooden line-of-battle ship converted, will be ready in September. And now we come to a novel class of ship concerning which it is desirable that I should say a few words. The House will remember that for some time it was supposed that no ship would be able to carry armour-plates so as to attain high speed unless one of a very large tonnage. It was, however, undoubtedly most desirable that we should have vessels of somewhat less tonnage, and less costly, but still able to bear armour-plates. Mr. Reed, now about to be Chief Constructor of the Navy, was employed by the Admiralty to carry out the construction of ships of this class, and he was ordered to build three—the *Enterprise*, the *Research*, and the *Favourite.* The *Enterprise* is to have a wooden bottom—that is to enable her to go to distant stations, but she will carry very heavy guns and will be entirely armour-plated in the middle and along her water-line. [Sir JOHN PAKINGTON: Is she in armour?] The armour is entire in the middle, and along the water-line—but the extremities are of plate-iron and an iron-skin. She is also to be sheathed with Muntz-metal. These three ships are very much of the same nature. The *Enterprise* will be ready by October, the *Research* in February, 1864, and the *Favourite* in June, 1864. The *Enterprise* is a vessel of 990 tons, and the other two, the *Research* and the *Favourite*, are respectively of 1,253 and 2,186 tons. The *Royal Sovereign*, turret ship, converted from a three-decker, will be ready in November. The statement with regard to the preparation of ships must always be a matter of uncertainty. We have some admirable constructors of armour-plates all over the country; but questions of difficulty are apt to arise, and it is better that we should delay our ships than that we should go on and plate them with insufficient armour. While upon armour-plates let me pay honour where honour is due. We can get good plates, both hammered and rolled, but we find that the rolled are more uniform, and Mr. Brown, a gentleman distinguished by great zeal, and conducting important works at Sheffield, has been most successful in producing plates. I may likewise mention that Mr. Beale, of Parkgate, has been successful, and I hope will be yet more so. These are makers of rolled plates, which, on the whole, have been more successful than the other kind. I am likewise bound to give the Thames Iron Company credit for hammered plates; but lately, as I have mentioned, the hammered plates have been considered less successful. Another point of interest is the annealing, or gradually cooling, process. We tried annealing, and in some cases were successful and in others we failed. We actually took the same plate, and cutting it in two, annealed one-half, leaving the other half unannealed; but the effect in respect to both was very much the same, so completely are we in a state of uncertainty as to the result of different processes. We are, however, in good hopes that we shall succeed in having a regular supply of plates without any defect. I have already stated that by the end of the year we shall have altogether, including the ships at sea as well as those under construction, nine large armour-plated ships and one smaller one ready for sea. In the spring of next year we shall have a great development again. We shall then have the *Ocean*, one of the wooden line-of-battle ships, armour-plated; the *Valiant*, sister to the *Hector*, an intermediate class between the *Warrior* and *Resistance*, built wholly of iron; the *Prince Albert*, of iron, the second ship on the turret principle, in which Captain Coles is to mount six guns; and the *Achilles*, building at Chatham. We hope they will be afloat and sea-ready almost by April in next year, and also the *Achilles*, sister to the *Warrior*, and the *Royal Alfred*, and the *Zealous*, wooden ships like the *Royal Oak*. Then, as to small ships, we shall have two—the *Favourite* and the *Research*, to which I have already alluded—making in all eighteen armour-plated ships ready for sea by April in next year. Under these circumstances I hope the hon. Member for Norfolk will admit that we are making progress in preparing ships for launching. Then come the three leviathan ships of upwards of 6,600 tons each—namely, the *Agincourt*, the *Minotaur*, and the *Northumberland*. When these ships will be ready I cannot pretend to say, as that matter depends on the contractors. I believe that they are making great exertions to get the vessels ready, but, of course, it is not in my power to state when they will be finished. I will now state what we propose to do with respect to further construction of the armour-plated fleet. We propose to prepare frames for five more large wooden armour-plated frigates. Having now a large stock of timber, it is really a matter of economy that we should construct these vessels in our own dockyards. This leads to the great question of wood *versus* iron. Undoubtedly, when we come to ships of very large tonnage, iron has the advantage over wood. Wooden vessels are subject to great vibration when put to high speed, and time damages them and causes them to decay. Wooden vessels cannot be said to be lasting; but the Committee should remember that ours, after all, are not worse than other nations', and they are building wooden ships; and therefore it is advisable, that having a good stock of timber on hand, we should construct a certain number more of these ships. Hon. Gentlemen—mercantile gentlemen—will, I know, say, build them of iron; but these hon. Gentlemen should remember, that until some one will devise the means of keeping their bottoms clean, they are not so useful as wooden ships, as long as the latter last. The Controller of the Navy will tell you, that if you are to have iron ships, you ought almost to have one dock for every ship. We are covering our iron ships' bottoms with paint and composition of every description, and there is actually a trial being made to enamel them. We are endeavouring to get over the difficulty arising from the fouling of the bottoms in every possible way, feeling that as long as that mischief exists, we must think that for many purposes wooden vessels are superior to iron. As an argument in favour of iron vessels, I may say that Admiral Robinson, the Controller of the Navy, has gone very carefully into the average cost to the country of maintaining a wooden fleet, and he has come to the conclusion that for every man that you vote for your navy you must put down £10 for the mere wages of artificers to keep the ships in repair. Thus, supposing you have 76,000 men, the wages of artificers for keeping the ships in repair would amount to £760,000 a year. I do not mean to say whether this calculation is right or wrong, but hon. Gentlemen have the power to judge of these matters for themselves, because there is annually laid on the table of the House a detail of the cost of every ship in the navy. I still avoid stating exactly what is to be the armament of any ship, because I do not think any one could give a proper opinion as to what will be the armament. Great experiments are going on. Mr. Whitworth says that he can make a gun capable of sending a projectile through anything; while others assert that he cannot. But we have this consolation in regard to all the ships we are building, that they can carry thicker plates, if necessary. Before I quit this subject of ships, I wish to say, speaking entirely on my own responsibility, that I believe an invention is coming out which, if successful, will produce a great reform in the masting of vessels. Captain Coles, who is well known as a very clever and ingenious officer, has invented a system of masting which will altogether do away with rigging. This system consists in having an iron cylinder for the mast, supported by two other cylinders, which in fact represent the rigging. If this invention succeeds, it will get rid of the difficulty of falling rigging fouling the screw. This has not been tried yet. I think I have now made the Committee acquainted, as well as I am able, with the progress of our shipbuilding operations. There are a certain number of small ships likewise building which are really not of surpassing interest at the present day in comparison with the armour-plated ships.

Having dealt with this part of the subject—the outside skin as I may call it—I now come to the pith and marrow and bone of the navy—namely, the seamen. We take this year a Vote for the same number of officers, seamen, marines, and boys as we took last year—namely, 76,000. There is, in fact, a small increase, because the civilians—a class of men in the coast guard service of the Customhouse, left as a legacy by the Customhouse to the Admiralty—are fast disappearing, and as they disappear their places are supplied by seamen in the coast guard. Their number was last year 1,150. This year it is only 1,000; so that there is really this small increase of 150 seamen. The men are distributed as follows:—I should, perhaps, weary the House if I told them what are the ships at every station. I will, therefore, content myself with giving the numbers in the Channel fleet and on the Mediterranean, North American, and Indian stations. In the Channel we have one ship of the line, the *Revenge*, four of these iron-plated frigates, and one other vessel—that is, six ships. They carry 187 guns and are manned by 3,146 men. In the Mediterranean we have 6 ships of the line, 5 frigates and corvettes, and 15 other vessels. These 26 ships carry 706 guns, and are manned by 8,524 men. On the North American and West Indian station we have 1 ship of the line, 8 frigates and corvettes, and 22 other vessels. These 31 ships carry 543 guns and are manned by 6,573 men. On the East India and China stations, where we have charged ourselves with the extra duties of the Indian navy, which existed up to last year, and which, therefore, has necessitated an increase, we have 4 frigates and corvettes, and 29 other vessels. These 33 ships carry 234 guns, and are manned by 3,528 men. On distant stations we have 14 frigates and corvettes, and 40 other vessels. These 54 ships carry 587 guns, and are manned by 8,566 men. The result of the whole is, that we have 150 ships in commission, carrying 2,257 guns and manned by 30,337 men. In addition we have various services, ships ordered home and on surveying service, taking 14,648 men. We have reserves of seamen, and I know my right hon. Friend (Sir John Pakington) attaches great interest to the number of reserves in home ports. Within the last few weeks we have told off a line-of-battle ship's crew for the *Royal Oak*, and they are ready to go on board as soon as they are wanted. The present number of reserves is 3,000. The supernumerary warrant officers, kroomen, &c., number 4,000. We have boys under training, independent of those in the fleet, to the number of 2,050. We have 11,000 marines on shore. The coast guard afloat, including tenders and blockships, number 4,652, and the coast guard ashore 4,000. The grand total is 73,687 men on the 23rd of February, irrespective of civilians, showing that we are some few hundred short of our Vote, principally marines and boys, and, of course, we are taking steps to complete the full number. Such, then, is the state of the *personnel*, and I may give the Committee the assurance that nothing can be more satisfactory or more contented than the condition of the seamen of the fleet. We have not yet got rid of the bounty men—that class who fill up the Return from which the hon. Member for Lambeth (Mr. Williams) has just quoted; but so important does the Admiralty think it, that in order to clear them off as soon as possible, they have brought home several ships and paid them off, with the view of getting rid of those men. The Return is for 1861—Every Gentleman must be sorry that it should be necessary to resort to flogging. Discipline requires that we should have the power, but it is our earnest desire to keep down the punishment as much as possible, and I hope next year the Return may be more satisfactory. The popularity of the service may be seen from this fact:—My right hon. Friend (Sir John Pakington) will recollect that at the commencement of the continuous-service system there was considerable difficulty in inducing the men to enter for continuous service. Our present position is that more than three-fourths are continuous service men: this gives us great facility in manning the ships; because the men who have come home, after a tour of leave join fresh ships.

There is yet another test of the improvement of the fleet. The Committee will remember that three years ago it was determined to put the men in two classes, and that men in the first class should not be liable to flogging. Of the whole number 87 per cent of the men in the fleet belong to the first class by their own good conduct, leaving only 13 per cent in the second class. The Admiralty have used great endeavours to organize barracks for seamen. We are going to commence barracks at Portsmouth, if the Committee will agree to the Vote I am about to propose. We have not progressed so rapidly at Plymouth as might be wished, because we found that the site was not central enough. We have transferred that site to the War Office, who have given us a site near the north end of the dockyard, with which, in consequence of the changes in the fortifications, they are able to dispense. We propose to begin at Devonport and also to lay the foundations of barracks at Portsmouth. Before I quit the subject of punishment, let me advert to the boys. The system is developing itself with great success, and we principally owe the good conduct of the men to the ships having been manned by those who were our own boys. Sir Frederick Grey has bestowed much care and attention on this subject, and he assures me, that to the best of his belief, in the course of a short time our navy may be filled up entirely by our own boys, with the exception of 600 or 700 men, who will be required to be introduced from other sources. The reason we have been able to reduce punishment is because you have generously given us the means by which these changes have been made. You have expended large sums in the education of these boys, and you are now beginning to reap the reward of your great expenditure for the benefit of the navy. There are other subjects connected with the fleet to which I will allude. We are trying various methods of ventilation, and we believe that when the ships are properly ventilated there will be a decrease in the sick lists. Lastly comes the question of cooking. I last year mentioned that there was a desire to introduce the system of baking soft bread. Strange to say, we found that it was rather objected to, and the men preferred biscuit. But we attribute it not to any dislike of soft bread, but because they can get their savings of biscuit, which they cannot of bread. We are trying a new cooking apparatus, by which we hope to be able to give not only soft bread, but roast meat as a change for the meat which is now habitually boiled. I now turn to the subject of the Naval Reserve. That great body of merchant seamen, which has now become a national institution, has largely increased in number during the last year. The House may remember that that year the number enrolled was 10,000. We have now nearly 15,000 drilled and perfectly ready to serve their country. Of these 7,000 are at home and can be called out at any moment. It is impossible for me to speak too highly of this valuable force. We have also established a body of officers of the Naval Reserve. Of the 400 officers which Parliament empowered us to engage we have already 91, which in a single year is a considerable number to obtain. Then we have the Naval Coast Volunteers, a very fine body of men, whom we think we may still improve. At present we have no power to take these men beyond one hundred leagues from their own shores. It appears to us very desirable, that in the event of our requiring the services of this force, we should not be confined to employing them within so limited a distance. We believe that by a little more care in the selection of recruits we may be able to induce seafaring men to join the force on the understanding that a more extended use is to be made of their services should necessity require them. Accordingly, it will be my duty to introduce a Bill for the purpose of reorganizing that force. A body of pensioners and riggers completes the sum of our naval forces.

I have now, Sir, I think, shown to the Committee, that while the Government haveendeavoured to enforce a strict economy, they have done so without making any reduction in the number of our forces. I sincerely hope that whatever the Committee may do, they will at least not compel the Government to curtail the number of this magnificent body of men. There are several minor items with which I need not now trouble the Committee, but about which hon. Members may perhaps desire information when we come to the particular Votes. For instance there is a small increase, which I have no doubt will be cheerfully conceded, in the pay of colonels of marines. We also propose to reorganize the establishment of clerks in the dockyards. At present each dockyard has its own special staff, but we desire to mass them together, so that we may be able to command the services of each clerk at any station we choose. In that way we hope to secure both greater economy and efficiency. We are also desirous of making a small increase in the establishment of the Controller of the Navy, the business of which has quite outgrown the staff. I hope I have satisfied the Committee by what I have said that in reducing the expenditure the Government have not in any way sacrificed the interests of the navy. In consequence of the great sums which Parliament has granted to the Admiralty in past years, we have been enabled to make an important addition to the fleet, to furnish our dockyards with ample stores, and to reorganize our magnificent forces. Mr. Massey, I beg to move to resolve—

"That 76,000 Men and Boys be employed for the Sea and Coast Guard Services, for the Year ending the 31st day of March 1863, including 18,000 Marines.

SIR JOHN PAKINGTON:—I have listened with much attention to the very able statement of my noble Friend the Secretary of the Admiralty, and I am happy to say that I have heard nothing in that statement to render it necessary for me to trouble the Committee with more than a few observations. I am still more happy to say that I find nothing in the Estimates, any more than in the speech of my noble Friend, which requires me to make serious objections to any portion of the proposals of the Government. A very strong and natural desire has prevailed, on the part both of Parliament and the country, that the enormous amount which the Navy Estimates had reached during the last few years should be reduced as far as was compatible with the interests of the service. It is therefore very satisfactory to learn that the Government have made the Estimates for this year less by a million than those of the year before. And I am bound to say, that I think my noble Friend is justified in claiming for the Government credit for effecting that reduction without encroaching on the efficiency of the navy. Those points to which the advocates of a strong navy attach most importance are the maintenance of an adequate number of men and progress in the building of that new class of vessels the value of which is every year becoming more apparent. I am afraid that those opinions are not shared by all the Gentlemen on both sides of the Committee; but I feel bound to express my own satisfaction that the Government has not proposed any reduction in the number of men. That has been a wise and prudent resolve. Irrespective of the extent of the force we are asked to vote, every one must have heard, with unqualified gratification, the statements of my noble Friend as to the improved character of the men. I listened with some anxiety to what my noble Friend had to say on the subject of flogging. There can be no doubt that there is a general desire that the discipline of the navy should be maintained without resort to that mode of punishment. I trust that the disuse of corporal punishment may be brought about by the improved character of the seamen, and that the Admiralty will take care not to make any changes calculated to impair the discipline of the service. I have had reason to observe that whatever the power of the navy may have been, its discipline was not quite what we could have desired; and therefore I had the more satisfaction in hearing what the noble Lord said, and I hope that the discipline of the navy will improve with its increased comforts. I also heard, with great satisfaction, of the great increase of continuous-service men. My noble Friend has adverted to the anxiety I have felt bound to express in former years that an end might be put to those discreditable scenes, of which we had recently seen too many, when ships lay in the roadsteads for weeks and months waiting for men to fill up their crews. I am glad to know that what I have so long urged is at length accomplished, and that we have now a Reserve of seamen, who may be draughted to any ship which requires a crew. I am only sorry that we have not had a more satisfactory statement as to the accommodation provided for the Reserve. I fear that the greater part of them are scattered about in hulks and elsewhere. My noble Friend himself acknowledges the importance of barracks, and I regret that the Government did not see fit to take a larger Vote for barracks this year. [Lord CLARENCE PAGET: That is because we can only go on with the foundations at first.] I trust, however, that no feeling of economy will induce the Government to delay the progress of the works. Looking to the importance of a permanent Reserve, I hope that no mere wish to cut down a Vote has led the Government to propose a smaller sum for this item, and that no time really will be lost in the completion of these barracks. Another important item to which I look is the progress of our ships; and here again I am happy to say that I regard the statement of the noble Lord as perfectly satisfactory. I was glad to hear from him that there are no less than twenty-one armour-covered vessels now in progress, and that by the end of the year ten will be launched and ready for commission. I feel some doubts with regard to the success of all the different classes of these ships; but, looking to the fact that this new class of men-of-war is yet in its infancy, and that we have not yet considered the best mode of constructing them, considerable latitude ought certainly to be left to the Government in trying those experiments without which we cannot hope to arrive at any successful result. I doubt very much whether the advantages possessed by that larger class of ships—the *Minotaur*, the *Northumberland*, and the *Agincourt*—which the present Admiralty are building, covered entirely with armour from one end to the other, and larger by 500 or 600 tons than the *Warrior* and the *Black Prince*, may not be purchased too dearly, and whether they will be really found to be good sea-going ships in heavy weather. The cupola ships must be regarded as a matter of experiment, and I am not disposed to blame the Admiralty for trying them. So with regard, too, to the new class of ships, of which no one I suppose has heard anything until to-night, which have been recommended by the new Constructor of the Navy, Mr. Reed. I cannot mention Mr. Reed's name without expressing my regret at the unusual course which the Admiralty have taken in placing a gentleman entirely unconnected with the Admiralty in such a high position over the heads of an establishment which, undoubtedly, contains within itself some persons of great ability and skill. I should be sorry to say a word which would do injustice to Mr. Reed, for it happens that he is secretary to the Institute of Naval Architects, of which I have the honour to be president. I have seen much of him during the last few years, and know more of him personally than of any of the dockyard officials. All the intercourse I have had with him has given me a high opinion of his character and his general abilities. Therefore I do not wish to speak with the slightest disrespect of him. But, on the other hand, looking at the proved ability and tried skill of Mr. Oliver Lang, who possesses the union of great constructive ability and high scientific acquirements, as has been proved by his designs for some of the finest ships in the navy, with all my respect for Mr. Reed, I cannot but feel some regret at the unusual course of placing him over the heads of gentlemen who possess skill and ability equal to his own. Looking at the other parts of the Estimates, I now come to the extension of the dockyard at Chatham. I beg to say that I entirely approve of what the Admiralty are doing at Chatham; whether I approve of what my noble Friend has been saying at Chatham is quite another thing. He may have said a good deal—perhaps more than was quite discreet—but I am now adverting to what he has been doing, and not to what he has been saying; and I should not be doing my duty if I did not express my approval of what appears to be the desire of the Government to make that a more important arsenal. I myself, when in office, always expressed my intention of proposing a considerable sum of money in making Chatham our chief naval arsenal. I am sorry, however, not to see a larger sum than £20,000 down in the Estimates for this purpose for the current year, and I hope my noble Friend will be able to say that the Government mean to press forward the works at Chatham Dockyard as fast as possible. The only other point to which I wish to refer was touched upon in the last part of my noble Friend's speech—I mean the improved ventilation of our men of war. Last year I think the noble Lord said, a Committee had been appointed by the Admiralty to consider what was the best mode of improving the ventilation in our ships of war. I am afraid I must infer from what the noble Lord said, either that the Committee has not reported, or that they have reported in such a manner as not to enable the Admiralty to act in the matter. This is a very pressing matter. I received a communication lately describing the dreadful sufferings of the men on board a ship of war on the West India station from yellow fever during the year 1861, and a great part of these is to be attributed to defective ventilation. The crews of the *Firebrand*, the *Spiteful*, the *Jason*, and the *Racer*, were attacked with yellow fever in 1861, and my information is that no less than 334 cases, or one-half of the whole of the crews, were attacked by this malady. I am sorry, therefore, that some more satisfactory mode of ventilating our ships has not been devised. In closing these observations I can only express my satisfaction in being enabled to address myself in such a tone to the statements and remarks of my noble Friend.

MR. BAXTER regretted to have heard from the hon. Member for Norfolk another homily on the danger of invasion from France. Hon. Members on the other side were always warning the country against danger from that quarter, and the hon. and gallant Member for Chatham (Sir F. Smith) to-night had argued that our fleet ought to be large enough to cope not only with France, but with the combined navies of France, Russia, Austria, and Turkey. All these ideas sprang from a foolish panic, which our Statesmen had rather encouraged than checked, and which had been continued under the delusive belief that our neighbours were acquiring a vast maritime superiority over us. He did not share in any such apprehensions, though he would not be backward to maintain the necessary defences of the country. No doubt, we ought always to have a force larger than that of any other Power, but, at the same time, it was wise policy to husband our resources in time of peace, so that they might be the more readily and easily expanded when danger really threatened our shores. He therefore objected to an establishment of 76,000 men in time of peace, believing that such an establishment was rather suited to a time of war; but he did not intend to move any reduction in the number of men, for this reason—that a careful examination of the Estimates had convinced him that the Government were, to a certain extent, in earnest in their desire to bring about a real and substantial saving. He hoped, however, that the hon. Member for Halifax (Mr. Stansfeld), and those who agreed with him, would not consider their work of last year finished. It had often been said out of doors that a large reduction in stores meant a large increase in the following year, and that the Government could raise or lower the Estimate according to the pressure placed upon them; and that we had consequently no security against an increase of the Estimates to their old figure next year. That was true; but those who advocated retrenchment should bear in mind that for several years past, they had been finding fault with the large sums asked for stores, that the Government had reduced them, and that until the Government gave them some reason to doubt their sincerity they had no right to do so. From a recent Return he found that the Government had suspended the building of no fewer than twenty-nine ships, which he regarded as a step in the right direction; and he was also glad to find that the Government were not building any large number of one particular class of vessels. In this age of invention, when new models succeeded one another with such rapidity, it was prudent not to rush into great expenditure on ships of any particular class, but rather to keep pace with the time, building one or two vessels upon each of the plans recommended by scientific men, and thus avoiding the serious blunder which so many successive Boards of Admiralty had committed — the blunder of getting together a large number of vessels of a class which soon became altogether unserviceable. We had fifty-six wooden screw line-of-battle ships, of which the right hon. Member for Droitwich (Sir J. Pakington) ordered too many; and although he did good service when he ordered the *Warrior*, still it would be injudicious to build fifteen or twenty of that class. If in any respect our navy was defective, it was in the lighter and less expensive class of frigates—vessels of about 1,500 tons, like the *Alabama*, the speed of which would be a greater advantage than the enormous armaments of our heavier and most costly ships. The exploits of such flimsy boats as the *Nashville* and the *Sumter* might convince us that of late years we had attached too little importance to celerity of movement. He was sorry to observe that only a very paltry reduction was to be made in the wages of the home establishments, and he wanted to know whether the Government really intended to keep up the expenditure in our dockyards at the same high figure as before. As a financial reformer he was glad to see the increase which had taken place in the Naval Reserves, because he believed that no money could be better spent than the £130,000 which was voted for that department of the service. There could be no doubt that upon the Naval Reserves we must depend in the end for the security of the empire. He hoped, in conclusion, that the Government would continue in future years the policy of retrenchment which they had begun.

SIR JAMES ELPHINSTONE said, he was glad indeed that the country had experienced the panic which had been alluded to, because, if it had not been for the panic, we should not have been in our present state of preparation. He would support the noble Lord in asking for 76,000 men, because we must remember that we had now to provide for the naval service of the whole of India, and he should be very much mistaken if the Government did not find the demand both for men and money such as to make us regret that we had not retained the Indian navy on its old footing. It was satisfactory to find that the Government had at last resolved to take the transport service into their own hands, instead of going into the market and chartering ships at enormous prices whenever they wanted to convey troops from one place to another. [Lord CLARENCE PAGET: The Government are still chartering ships.] He was sorry to hear it, because he was entirely at variance with the Government as to the expediency of chartering ships. He had often recommended that the number of transports should be increased; and he held in his hand a remarkable document bearing on the question. A copy of it had been sent to the Admiralty, and he trusted that it would soon be laid on the table of the House. It was the balance-sheet of the *Himalaya* during the four years she was in commission; her performances were recorded; her repairs and all other expenses were charged against her in a proper business-like manner; the statement was compared with the most favourable specimen of the ships chartered from private persons, and the result was greatly in favour of the *Himalaya*. The best thing the Government could do, would be to build six *Himalayas* on the model of that ship, which had proved to be a most extraordinary transport. One vessel was undergoing alteration in order to be converted into a transport, and he would be glad to hear something about her. With respect to the iron ships that were being built, he could not help thinking that we had commenced building too many classes before we understood what was the right thing. We ought to wait for the results of experiments not yet completed. It appeared that the ships that were at sea answered admirably in many respects; but anybody who understood the theory of stowage must know that the iron-plating placed in the upper part of a ship counteracting the heavy weights plunged into the hold, the coalage and machinery, must in a great measure render a ship easier in her motion. But what he could not understand was the rigging of our vessels. Perhaps the noble Lord would inform them who was the inventor of it. The equilibrium of the *Warrior* was destroyed by placing great weights at her extremities, whereas she ought to be rigged with four masts, and the anchors ought to be brought further aft. Such vessels ought to be fitted upon the double screw principle, so as to facilitate their movement in an emergency; for a vessel on a lee shore that could not be turned round in less than twenty minutes was in a perilous position. It was stated that Mr. Reed, a gentleman who had acted as secretary to a debating society, had been appointed over the heads of such officers as Mr. Abethell, Mr. Oliver Lang, and Mr. Moody. In explanation of this appointment it was said that these meritorious officers were getting old. Why, Mr. Oliver Lang was not much older than the noble Lord the Secretary to the Admiralty, and Mr. Moody was in the prime of life. It would seem that Mr. Reed had been appointed in consequence of his possessing certain knowledge which every shipbuilder in any of the docks possessed in common with that gentleman; but he certainly could not be considered as an inventor of the highest class, for every one who understood the commonest principles of stowage must know the objections to iron ships with wooden bottoms. With regard to the docks at Portsmouth, he could not help thinking it was rather a lame excuse of his noble Friend that the forms of the House could not be complied with in time to introduce a Bill for their construction. Had the noble Lord got the plans of those docks ready? Were they in a state in which a Committee could judge of them? If so, what were the forms of the House that would prevent the noble Lord from bringing in a Bill at once, as was done in the case of the Chatham docks late last Session? He believed that the Chatham docks were necessary for the North Sea fleet; but as for the idea of Chatham ever being our principal arsenal, the thing was an absurdity. With regard to the barracks, were they designed in relation to the great scheme of a navy yard at Portsmouth; or were they begun at a haphazard, as everything had been from time immemorial at Portsmouth? They ought to know whether the barracks were part of a great scheme, or whether their erection would involve loss in the future. The Committee which recommended the Reserve also recommended that naval schools should be established in all the outports. He could say with authority that these outports were desirous of having these schools, and their establishment would effect a great saving. The House would be surprised at the figures showing the difference between boys drafted into the navy from Sunderland, Shields, Greenock, Aberdeen, or Bristol, and those educated on board school ships. With regard to the Naval Reserve, it now only remained for the Government to be extremely cautious respecting the men they admitted into it. At first, no doubt, men were admitted who did not come up to the proper standard, and these men could not be got rid of. But now they were in a position safely to test the merits of every man before admission. He would certainly give the preference to men engaged in the coasting trade, because the more easily they could be laid hold of, the more effectual would the force always be. The ventilation of the ships had an important bearing on the health of the navy, and he could not help thinking that the ventilation of ships, and the proper construction of the smaller class of ships for tropical climates, had not been sufficiently attended to. The awning supplied to ships for the rivers of China and tropical climates was neither sufficient nor properly fitted to enable a crew to berth on deck. When he was in the Company's service, they had awnings of such a description that in the monsoons they were able to berth a certain portion of the men on the upper deck, and they enjoyed better health than those on board men-of-war. He saw a practical illustration of the extreme want of ventilation at Aberdeen last year. He went on board the man-of-war that was lying there. The temperature on the upper deck was 56 degrees. On the lower deck he found the thermometer at 72, close to where a man was lying in his hammock; and he was informed that at night, while the temperature on the upper deck was 50 degrees, it was 78 on the lower. With respect to corporal punishment, that varied with the character of the crew. He had known a ship's company whom it was believed nothing but the cat would keep in order, and he had known a crew among whom it was not necessary to take the cat out of the bag once in six months. The navy was now coming to the proper point with regard to punishment. As soon as summary dismissal from the service, with disgrace, was the recognised punishment for grave offences, the sooner would flogging be got rid of. He was glad to learn that corporal punishment was diminishing, and hoped it might one day expire altogether.

Admiral WALCOTT congratulated his noble Friend upon the courtesy and ability with which he had submitted the Estimates to the Committee, but could not accord his unqualified satisfaction at the reduction proposed, and particularly the transfer of 1,000 seamen from immediate service afloat to the coastguard.

Lord CLARENCE PAGET: — They are only put temporarily into the coastguard ships, and might come back the next day.

Admiral WALCOTT: But meanwhile they lost their sea-legs. He could only express the hope that economy would not be purchased at too dear a price. We must never, for any consideration whatever, nor under any pressure, forget the all-important fact that our extensive commerce and remote and widely-scattered dependencies owed their safety wholly to the unimpaired condition and power of our navy. In the wars maintained by us within a century, all foreign Powers combined to dispute the sovereignty of the seas with our fleet, and he need not add without success. But at this hour, equally with that period, upon the superiority of our navy to all other maritime Powers, singly or allied, depended the safety of this country; for the navy was the palladium of our liberties, at once our honour and defence, with which stood or fell the reputation and the independence of the collective empire in the eyes and estimation of Europe and the world.

Mr. COBDEN: — There are not two opinions in this Committee with reference to those patriotic maxims which the hon. and gallant Admiral has just put forth with his wonted emphasis. There is no one in this House who is not of opinion that England should maintain a navy superior to any other navy in the world. But there is no one in the world who denies our legitimate right to maintain such a navy, and there is therefore no necessity for our making it a ground of antagonism to, or of triumph over, other countries. From our insular position, we, having no communication with the rest of the world except by sea, are entitled to have a larger fleet than other countries, in order to guard our commerce, which is larger than that of any other maritime State. No one disputes our legitimate right to that position. But the efficiency and the strength of a navy does not necessarily, in our days, depend upon the number of men that may be voted for it. Put 100,000 sailors — the very best in the world—on board ships that now belong to our navy, and there is not a nautical authority here or elsewhere who will deny that a score of iron clad vessels which may be now in existence on the other side of the Atlantic, with not one-twentieth the number of sailors on board of them, would destroy the whole of this fleet, crews and all. It is no longer a question of mere brute force and of numbers; it is a question of science, of skill—in fact, of intellect. Therefore, if I take exception to the vote of 76,000 men for our navy this year, I am not to be accused on that account of being unpatriotic, or of being disposed to maintain a less force than other countries. I object to the number of 76,000 men for this reason—I defy you to employ these men in ships in which they can be of use to the country. 76,000 is the number you employed in the Crimean war; it is a war establishment. The Americans, who are this year carry-on a war, and have 2,500 miles of coast to blockade, employ 26,000 seamen. Their Naval Estimates are under £13,000,000, while we are going to vote £11,000,000 and 76,000 men. What are you going to do with all these sailors? A very large number must, undoubtedly, be employed in those big wooden line-of-battle ships which have, unhappily, been built by the precipitation of the right hon. Gentleman (Sir J. Pakington) and by the gross inconsistency of my noble Friend the Secretary of the Admiralty. I say gross inconsistency, because six years ago the noble Lord told us in this House that the day for line-of-battle ships was gone by. "The fate of empires," said the noble Lord—I will use his own words—"will not in future depend on line-of-battle ships; they are not suited to the modern mode of warfare." Other very high nautical authorities have preached the same doctrine. I heard the late Admiral Napier declare, a short time before his death, that a line-of-battle ship struck with one of your modern percussion shells, would have a hole in her side large enough, as he said, to drive a wheelbarrow through. What said the hon. and gallant Officer the Member for Harwich (Captain Jervis)? In my own hearing he said that a wooden line-of-battle ship, hit by these modern percussion shells, would be nothing but a slaughter-house. Now, I ask any nautical man, "Would you, if you were at war with America to-morrow, send one of your wooden line-of-battle ships, with 700 or 800 men on board, and with 30 or 40 tons of gunpowder under their feet, to meet a vessel like the *Monitor?*" You know you would not. I heard the hon. Baronet the Member for Finsbury (Sir Morton Peto) once declare his opinion that the Minister who should send a wooden line-of-battle ship to encounter these modern shell guns would deserve to be impeached. I do not presume to speak my own opinion on these matters; all the merit I claim is for being docile enough to learn from those who know better than I can. I take the authority of the ablest nautical men. Admiral Halsted also tells us, from experiment, that nine rounds from these modern shell guns will ignite a wooden vessel into a mass of flames wholly inextinguishable. If this be the case, these great wooden line-of-battle ships and frigates are useless for the purposes of war, and you have 20,000 or 30,000 seamen now floating about in vessels which you would not use in time of war. Well, I challenge any naval officer in this House to get up and say that one of these line-of-battle ships would be opposed to an iron-clad gunboat in the present day; and if he does, I will bow to his authority. But if he does not, I hold that you are mis-spending a vast amount of money in maintaining these seventy-four line-of-battle ships, including coastguard vessels, which would be utterly useless in time of war, and your large wooden frigates may also be classed in the same category. Is it not absurd, then, to be manning these vessels, or a large proportion of them, under the delusive idea that you thereby increase your strength? You are really doing quite the reverse. I will tell you what you are doing—you are running your expenditure up to a point which makes your people clamour for a reduction, and you are straining the elasticity of those finances which you should husband for war. Surely it would be much wiser to have 20,000 fewer sailors than to keep them floating about in vessels which all your naval authorities admit would never again be fit for warfare. I say, then, that you do not show me, that if we vote these 76,000 seamen, you are going to make a good use of them, and therefore I object to the number of the men. And, observe, in objecting to the number of the men, I am objecting to your whole naval expenditure; because my hon. Friend the Member for Montrose (Mr. Baxter) must have been a very inattentive listener to what occurs in this House if he does not know that it is a maxim, derived from the oldest authorities – and I have heard it over and over again from men like the late Sir James Graham, than whom I am aware of no higher authority—it is a recognised maxim, that when you have voted the number of men, you have practically voted the expenditure of the navy in all its departments, for the expenditure of all those departments depends upon the number of your men. We have the same thing laid down in the Report of the Committee of this House. Then, what is the meaning of this reduction which is proposed? I was rather surprised at my hon. Friend the Member for Montrose making so many concessions about the reduction of a million in stores. But if you do not reduce the number of your men, your present reduction in stores means only that you will buy more stores next year. There cannot be a doubt of that. My hon. Friend said the noble Lord the Secretary of the Admiralty was apologetic in his tone; but my hon. Friend himself was too apologetic for the Government in his remarks. This is really no permanent reduction. Nay, more, I do not believe you can keep 76,000 men afloat in vessels fit for any useful purpose for anything like £10,500,000 of money; and I will tell you why. There is a principle in the progress of our armaments which hon. Members must take into account—and that is, that your vessels are constantly increasing in price and value. A line-of-battle ship which used to cost £100,000, now costs you, with iron armour, £350,000. Why are you spending this extra money for each ship? Certainly to make her more effective. But, surely, if you make her more effective, you do not want the same number of men to give you the same force. In the navy, as in private enterprise, all these improvements should economize labour by machinery. If you lay out this vast capital in expensive ships, you need fewer men, because you cannot and do not require to keep the same number of ships afloat. Why, if one of these iron-clad gunboats can go in among your great wooden vessels like a lion among a flock of sheep, that implies that you gain an enormously increased force by their construction. The same thing applies to frigates. If you build them in the same way, you do not want so many of them, nor so many sailors; and yet you will be stronger at sea; for I say your present preparation is weakness not strength. That point is illustrated in a table which I have in my hand. The *Agincourt* has been referred to. She is of 6,021 tons, and throws a broadside of 1,322 lb. weight—that is, three times the broadside, and nearly three times the tonnage of the *Victory*, in which Nelson won the battle of Trafalgar. But, instead of requiring 1,200 men, like the *Victory*, the *Agincourt* requires only 704; thus showing that as you increase your investment of capital in these expensive vessels, you require fewer men to work them, and yet they are stronger—three times stronger if you put wood against iron. Do not, therefore, run away with the fallacy that you must always keep these 76,000 men afloat in ships. I tell you, if you are to float 76,000 men in ships that you would think of sending out were you at war with America to-morrow, you must spend, not ten, but twenty millions of money. We have seen how rapid the transitions are from one description of ship to another. It is the same in everything. It is only just within the last few years that men of genius, the mechanicians of the age, have been directing their attention to the new armaments. It is only lately, or since the Crimean war—when all the great Powers set to work as if to prepare them for the coming hostilities—that your Armstrongs, Whitworths, and Fairbairns were drawn from civil life to devote themselves to the invention of these armaments and implements of destruction. You have only begun this, and yet how rapidly you have been going on. I will give an illustration of this which nautical men will understand. I sat upon the Committee on the Navy in 1848. We examined Sir Thomas

Hastings, who told us he had no doubt whatever that to add a screw to a line-of-battle ship would make it a much less effective man-of-war. That is what was stated only fifteen years ago by Sir Thomas Hastings, the head of our gunnery establishment, and he was backed by other naval officers. What has since happened? Your sailing vessels have wholly disappeared. Well, I say our Governments have acted with something like madness—their conduct seems little short of sheer insanity—for they rushed into the building of wooden line-of-battle ships after they knew of the success of iron-clad vessels. You are now saddled with seventy-four of these wooden line-of-battle ships, and I defy you to produce any naval authority that would send them against a single iron-clad gunboat. Surely that ought to make us a little cautious about what we shall do for the future, and about what we are doing now. Is it possible, with these rapid transitions, that we can afford, rich though we are, to go upon a grand scale into all these novelties? With our stock of useless line-of-battle ships on our hands, can we now rush into building iron-clad vessels to the same extent and in the same way? Well, it seems to me, that that is just what we are going to do. We see now before us something like twenty of these iron-clad broadside port vessels—I say broadside port, because I am going to mention another class in a moment. Are we sure that ten years hence they will not share the same fate as these screw wooden line-of-battle ships? What says Captain Cowper Coles? My noble Friend has quoted him as an authority in these matters, and I believe from what I have heard of him—I can only presume to judge from what gentlemen of his own profession think of him—that he is deserving of the highest consideration from all who, like myself, have no technical knowledge of these matters. He leads us to expect that he is going to supersede these broadside vessels by his turret ships; and bear in mind that the Americans are hardly building anything except these turret or cupola ships, which they produce at the rate of about one every fortnight. Captain Coles, in a little tract, which I dare say has been sent to other Members as well as to myself, shows us what is the superiority of his cupola vessels over the broadside ships. His views are very startling, and, if correct, there can be no doubt we are running the greatest risk in constructing these broadside iron-clad vessels. He has given us a table showing in parallel columns the comparative number of men, draught of water, tonnage, and expense of ships throwing the same weight of metal on the broadside port system and the shield system. The *Agincourt,* of which we have heard so much, has a draught of 26 ft. 2 in., carries 704 men, throws 1,322 lb. weight of broadside, has a tonnage of 6,021 tons, and cost £385,342. Parallel to that vessel Captain Coles puts his turret ship, which only draws 22 ft. of water, carries 200 men, throws the same weight of broadside (1,322 lb.), has a tonnage of 3,272 tons, and cost only £203,518, thus yielding a saving of two-thirds of the number of men and nearly one-half the first outlay in money. But that is not all. Captain Coles tells us that these turret ships can throw a ball weighing 300 lb. or 400 lb., whereas a broadside port vessel can only throw a shot of 110 lb. He says that in America they are now mounting 15-inch cannon, firing solid shots of 450 lb. on all the iron-clad *Monitors;* and surely it does not require us to be sailors to know what chance a vessel throwing only 110 lb. shot would have against such an overpowering armament. That is Captain Coles's case; and if the facts and data which he supplies can be relied on, the conclusion to me seems irresistible that turret ships will as surely supersede the broadside vessel with ports as screw line-of-battle ships superseded the old-fashioned sailing vessels. In these turret ships there are no open ports through which shells can glide and men be hurt; and one advantage in connection with them is that you will not want so many sailors. They will stand hammering for half a day without losing scarcely a man, whereas, in wooden vessels, every action was attended with some loss. Do not let it be said that I am travelling *ultra crepidam.* Let any one give better authorities than I do, and I will bow to authority. But do not let it be said that we are incapable of using the facts and figures which we have in our possession—and that is all I pretend to do—do not let us go hand over head, turning a deaf ear to argument. My noble Friend let out a secret a little while ago; I should not have dreamt of attributing motives to him if he had not corroborated my suspicions. But I never could understand why it was that the Admiralty was buying such an enormous quantity of timber — why they should lay up a store of 112,000 loads, their former average consumption yearly not being a third of that amount. A friend told me last year, "That is all done by the people in the dockyard; the political officials at the head of the Department know nothing about it." At this moment they are filling the dockyards with timber; they are filling the quays also. They are so full that I believe the Port Admirals can hardly walk about. And this very superabundance of timber is then urged as a reason why they should build iron-clads in the dockyards, instead of having wholly iron vessels built by contract. I have no faith in the Admiralty. I have not the least faith in them. On that subject, and perhaps it is the only one on which I do coincide with him in opinion, I agree entirely with the hon. Member for Norfolk (Mr. Bentinck). The Admiralty have always been doing the wrong thing, or doing the right thing at the wrong time. They come forward each year with Estimates, and tell us everything is perfection. We heard to-night that the men are in an admirable state of discipline, that the Admiralty have got an admirable fleet, that they have got their dockyards full of timber, and that they only want to build some enormous docks in order that they may set work to spend twice as much money as ever. Now, who recommends you to clothe wood in iron? Does not such a course seem absurd? You would not veneer pasteboard with marble, and yet it seems just as rational to put iron upon wood. While you had old screw line-of-battle ships which you wanted to use up and disguise, there might be some excuse for taking off a couple of decks and covering the rest with iron; but if the House will listen to authority, and not to the Admiralty, it will stop building any more wooden vessels to be afterwards clothed with iron. What says Sir William Armstrong; what says Mr. Fairbairn; what does Sir Morton Peto say? These are men who, from their professional pursuits, know what the result of placing iron upon wood will be; and they have all emphatically declared that not a vessel ought to be constructed of wood, cased with iron, because you are thereby putting a harder and more rigid substance on a softer and more flexible one, and the foundation will give way. If the Admiralty will suspend the building of monster broadside ships until they have allowed Captain Coles to try his experiment with turret ships, we shall be better able to judge of their relative merits. Why cannot they allow his ship to be finished? It was in 1861 that he tried his experiments and satisfied the Admiralty with his plan. There is a vessel now in Portsmouth dockyard which is being converted into a turret ship, and I predict it will not be finished till next March twelve months, though the noble Lord says it will be ready in October or November next. I believe anything which the noble Lord tells me, but the Admiralty I never believe at all. Why not wait and see what comes of this contest between the cupola and the broadside? If you build your ships entirely of iron five or six inches thick—and that is the substance of all I have to say—the better opinion is that they will be practically indestructible, and, wanting only a few coats of paint, they will be as durable as Southwark Bridge or the Chain Pier at Brighton. Build them entirely of iron—build as few as you can—and your ships will be more secure, while the machinery supplied to them will enable them to be worked with fewer men, and in the end, instead of increasing the Navy Estimates, we shall be able to diminish them. I warn the Committee against supposing that it will always be necessary to keep up a force of 76,000 men and boys in order to be strong at sea. I am not about to move any reduction of men. I have been in this House twenty-two years nearly, and I have never known an Estimate altered once it had been brought in. The late Mr. Hume, who preceded me, told me that for forty years he had never known Estimates altered after they had been brought forward. But, mind you, when we refuse the income tax, as we did in 1848, the Government took back the Estimates, and managed before the end of the year very much to reduce them. And my respected Friend the late Mr. Hume told me that about 1816 or 1817, when the income tax was likewise refused, the Government took back the Estimates and reduced them enormously. And therefore, if my hon. Friends who seem inclined to take some steps in this matter, want to get a reduction of the Estimates, it must be by letting the Government know that there are some men connected with manufacturing and industrial interests whose business and function it ought to be to see that this waste of public money does not take place, who are determined that if the noble Lord at the head of the Government does not reduce the expenditure, somebody else for whom we will not be responsible may be called on to undertake the task. Let the Government know beforehand the fate which will attend extraordinary Estimates, and depend upon it they will no longer be produced. I thank you for hearing me; and, holding the opinions which I have just expressed, I do not intend to trouble you with a Vote.

Mr. LAIRD said, there were one or two points as to which he should be glad to have some further explanation from the noble Lord the Secretary of the Admiralty. An item of £4,000,000 appeared in the Estimates for dockyard purposes, including salaries and various charges, such as timber, iron, and coal, but no details were given how the money was spent; how much for repairs, how much for new ships. If these items were given, the House would have an opportunity of seeing what they got for their money at the end of the year. From the statement made that night by the noble Lord, it would appear that the Surveyor of the Navy estimated the cost of repairs of ships of the navy at £760,000. If the expenditure under that head were very largely increased, it would still leave between £2,000,000 and £3,000,000 for the construction of new vessels. Putting down the cost of the iron-cased ships at £70 a ton, £2,000,000 sterling ought to produce 30,000 tons of shipping. But nothing like this amount was obtained for the money, and it was therefore desirable that on this point the House should have some information. He quite agreed with the opinion which had just been expressed with regard to Captain Coles' cupola ship. He had considered that question very fully, and believed that they would create a great revolution in naval architecture. For this reason he regretted extremely that the first ship of this class the Admiralty had undertaken to build was not to be ready until October. Everything that it was possible to do should be done to expedite its progress, as the result of the experiments might be to alter entirely the construction of our ships; and he had no doubt iron armour-plates could have been had in abundance, and if the work had been pushed on as it ought to have been, the vessel might have been ready. We could only carry our improved ordnance in cupola ships, not in broadside ships. We therefore could not go on in our old-fashioned way; we must adapt our ships to the requirements of the age. The heaviest guns could be easily worked by machinery in the cupola ships. He was glad to hear the noble Lord speak so highly of Captain Coles' invention of tripod masts. He had seen the plans, and, believing them to be excellent, he hoped they would be adopted. They ought not to go on building ships that would shake to pieces in a few years. In the case of the old wooden vessels that had been lengthened, the guns had to be taken away fore and aft, and it was not to be expected that they would be stronger for having 1,000 tons of iron hanging at their sides. He wanted to see the *Royal Sovereign* and *Royal Oak* tried. He would say, let the *Black Prince* and *Warrior* be docked and examined, to test their condition; do not commission the other ships, but transfer to them the captains and crews of the *Warrior* and *Black Prince*, and, if they stood as well as the iron ships, he would admit he had been mistaken. As to the comparative wear and tear of iron and wooden vessels there could be no contest. He thought they had better spend a million in docks for these large ships than spend a million for wooden ships that would not stand wear and tear at all. He was glad to corroborate the views of the hon. Member opposite, and he hoped the Admiralty would get Mr. Reed's first vessel, the *Enterprise*, and Captain Coles' *Royal Sovereign*, ready as speedily as possible, to enable them to determine whether their plans were good before they were called on to spend large sums of money in similar structures.

Mr. LINDSAY said, that the Vote for men, instead of being reduced, was greatly augmented, because the Royal Naval Reserve was increased by 7,000 or 8,000 over last year. If science was good for anything, its application should lessen the number of men required in our ships. As to the *Warrior*, she would cope with half a dozen line-of-battle ships. Her complement was 650 men; whereas the complement of six line-of-battle ships would be 5,000 or 6,000 men; so that they were actually voting a far greater number of men than they had efficient ships to put them in. They were told that they had 112,000 loads of timber in the dockyards: the annual consumption, when they were building wooden ships, was 30,000 loads; so that the stock on hand was enough to last four or five years, according to the old average; now, however, they were going to discontinue the building of wooden ships. The hon. Member for Birkenhead (Mr. Laird), than whom no man could speak with better authority on the subject said, that wooden ships coated with iron were not efficient, that was the opinion of every person who was competent to form one on the subject. In 1855 it was evident that the days of wooden ships were at an end. In 1856 he (Mr. Lindsay) brought forward a Motion, to the effect that the building of wooden ships should be discontinued; but since that time they had spent about eleven millions sterling in wooden ships —a dead loss to the country. The question to consider was, whether the turret ships were sea-going vessels, and would they be as efficient as the *Warrior*, and they knew that turret vessels in America were only used for blockading purposes, and were utterly unfit to cross the Atlantic. Under these circumstances he would sell a large portion of the timber in stock, which would realize a good price; and if it were still considered advisable to case wooden ships with iron plates, he would cut down some of the useless line-of-battle ships, and coat them with armour. The question it was very important to consider was, would the turret ships be as good sea-ships as the *Warrior* class? He had visited the iron fleet in the Tagus, and had put various questions to Captain Cochrane as to the sea-going qualities of his ship; in reply to which that gallant officer stated that he had been in the *Warrior* in some very heavy gales, and he never was in an easier or safer ship. He would encounter any weather in her. As to the efficiency of the ship in resisting shot, he put this question, "Suppose an extreme case—that we were unfortunately involved in war with America—New York stood on a peninsula; suppose a battery at three several points, that outside of all you had to encounter one *Monitor*, then two *Monitors*, and that you must run the gauntlet through them to get into the open water, and to command the town of New York; would you, under those circumstances, and looking to the risk of getting out again — would you run the *Warrior* through the gauntlet?" Captain Cochrane replied, that considering the object to be one of great importance, he should not hesitate to do so. The only thing which he would fear would be a chance shot to injure her rudder, which was not adequately protected, but the chance was a remote one. Captain Wainwright, of the *Black Prince* gave a similar reply, and Captains Phillimore and Chamberlain, commanding respectively the *Defence* and the *Resistance*, said also they should have no hesitation, if their vessels had the same speed as the *Warrior* and *Black Prince*. The conclusion, therefore, was, that so far as our knowledge at present extended those ships were practically invulnerable. With respect to the discipline of the crews, he had been struck by a marked improvement. Captain Cochrane, who had not flogged any man on board his vessel, said, in reply to a question, that he did not think it would be prudent to abolish the power of flogging. Having taken pains to ascertain the feeling of the seamen, he had found (strange to say) that the great majority of the good seamen did not desire to see that power abolished. A Russian captain had told him that flogging in their navy was controlled by Government regulations, but it was found that among their crews the flogging was administered by the men to those whom they thought to be deserving of it, and the practice was winked at by the officers. The noble Lord had said that by April next we should have eighteen iron-cased ships ready, but he did not state the amount of tonnage. Would the noble Lord also tell the Committee what our neighbours were doing, and what number of ships and the amount of tonnage the French would have in April next?

MR. BENTINCK said, the hon. Member for Rochdale (Mr. Cobden) was good enough to express his surprise that there was some one point on which they could agree. His (Mr. Bentinck's) surprise was quite equal to that of the hon. Member; and he might further add that it was very improbable that such a coincidence would ever occur again. The speech of his noble and galland Friend the Secretary for the Admiralty had been described as apologetic; but if it had been really so, he (Mr. Bentinck) should not have felt it necessary to address the House. His noble and gallant Friend took exception to his having made use of this opportunity to go into the question of the constitution of the Board of Admiralty, and said it ought to have been passed over on this occasion. But he believed the constitution of that Board was the turning point of the whole question; and if they were to be precluded from going into that subject, which was the cause of their large expenditure, there was no need to discuss the Navy Estimates at all. There was another point. At the commencement of his speech the noble Lord took credit for not entering into any comparison of the strength of British and foreign navies; but if this were so, upon what did he rest his case? What ground had he for asking for a single shilling unless he was prepared to say that it was required for the defence of the country; and how could he say that unless he considered the state of foreign navies? He (Mr. Bentinck) contended that the whole case rested upon a comparison between the naval forces of this and other countries. It seemed to him, with all due deference, that the remarks of the hon. Member for Montrose (Mr. Baxter) were very peculiar and somewhat illogical. He himself had not the good fortune to be a gentleman of extremely Liberal opinions, and perhaps he did not therefore quite understand how these matters affected persons with such opinions, and therefore possibly he did not quite understand the hon. Gentleman's argument. The hon. Gentleman objected to the great number of men required for the navy; and having said this, he went on to admit that we ought to have, not only a sufficient force, but a force larger than that of any other country in the world—which was all that he (Mr. Bentinck) had been contending for. He went on to say that the time had come for effecting a great saving in our Naval Estimates; but how, in the name of all that was marvellous — unless, indeed, we reconstructed the Admiralty—could we combine these two things? He could not understand the hon. Member for Montrose and the hon. Member for Rochdale saying that it was right to Vote these Estimates, and then going on to add that the Estimates were enormous.

Lord CLARENCE PAGET said, the hon. Member for Rochdale having made some very striking observations on the subject of turret ships, he wished to assure him, and the House, that the Admiralty were anxious to get on with those ships as fast as possible. But it must be borne in mind, that the iron plates for these ships had to go through the proper testing process, and many had been rejected, being of indifferent quality and tending to delay the construction. It was true, that the hon. Member for Birkenhead's two talented sons were building a turret ship, which would, perhaps, be finished before that of the Admiralty. But, was he prepared to have the plates previously tested by firing 68 lb. shot at them? Or would he let him have a shot at her when she was finished? The hon. Member for Rochdale was a great admirer of the turret ships, and he had spoken as Captain Coles spoke of the amount of broadside to which the turrets were equal, but both of these gentlemen forgot that ships in naval battles were often engaged on both sides at the same time, and on such occasions the turrets would, of course, be at a disadvantage as compared with broadsides. His hon. Friend asked, why they went on building wooden ships? They could not dispense with the use of wood, for these iron-plated vessels had a backing of eighteen inches of wood. The only way of avoiding the great concussion which shot would produce on an iron vessel was by giving it a wooden backing, or cushion. It was said that the timber would rot. No doubt it would. But they were trying a French plan, for preventing that, by charring the wood. The hon. Member for Birkenhead said, "You never tell us what is the cost of the ships, and we have no means of getting at that fact." His hon. Friend was mistaken in that respect, for there was laid annually on the table a statement of the cost of every ship in the navy; and if hon. Members studied that statement, they would make themselves acquainted with such matters. That account was prepared by the Accountant General of the Navy, and it was one on which the House could rely, not only for the cost of every ship, but of every article made in the dockyards. The hon. Member asked, why they did not try Captain Coles' tripod masts? His answer was, why did not some of the merchant princes try them? They would be equally useful in the merchant service as in the navy if successful. Why should the country pay for the trial of every new invention? Let the merchant service try them, and if found successful, the Government would be happy to adopt them in the navy. The hon. Member for Rochdale, said that by using the armour-plated ships they would be relieved of the expense of maintaining a large mass of men. But the necessity for the large mass of men was not occasioned by the line-of-battle ships, but by the numerous little vessels which were employed as cruisers all over the world. Twenty line-of-battle ships required only 500 blue jackets each, or 10,000 men, which was a small number out of the whole amount of men in the navy. He hoped the eloquence of the hon. Member would not induce the House to agree to any reduction of the number of the men.

MR. COBDEN said, that there were two classes of iron vessels—one where the frame was of timber, and the other where, as in the *Warrior*, the frame was of iron, but required a backing of wood. Now, his noble Friend said that he wanted 112,000 loads of timber. He applied to a ship-builder for information as to how many loads of timber would be required for the construction of a ship like the *Warrior*. And the answer he received was, that 400 loads would be sufficient for backing the *Warrior* with timber, but that 6,000 would be required if the *Warrior* was to be built entirely of timber. But the backing of the battery was of teak, and teak did not require to be seasoned. Therefore his noble Friend did not give a sufficient justification for his keeping in store 112,000 loads of timber, and he hoped it would be sold.

SIR FREDERIC SMITH feared that the Admiralty were not using sufficient despatch in the construction of the turret ship, and recommended that all the plates which were ready for use, should be applied to that vessel, instead of some of them being diverted to other ships. They ought to know what these turret ships would do, because, if successful, they ought to build more of them, and save the expense of building an inferior description of ships. With regard to the appointment of Mr. Reed as chief Constructor of the Navy. Mr. Reed had never been in the School of Naval architecture. He had merely been an apprentice in the dockyards, and served a year and a half at Sheerness. Having left that yard—and there was a rule that no one who voluntarily discharged himself from a naval yard should be employed again—he had become editor of the *Mechanics' Magazine*. He had never built a ship in his life, and was now building a ship which was only an experiment, and might be a failure. There was in this no reason why he should be placed over men who had built some of the fastest and finest ships in the navy, and he hoped that his appointment was not so far settled that the matter might not be reconsidered.

Resolution *agreed to ;*

(1.) 76,000 Men and Boys for Sea and Coast Guard Services, including 18,000 Royal Marines;

As were also the following Votes:—

(2.) £2,921,951, Wages.

(3.) £1,416,986, Victuals and Clothing.

Resolutions to be reported *To-morrow ;* Committee to sit again on *Wednesday.*

TOBACCO DUTIES BILL.

[BILL 21.] SECOND READING.

Order for Second Reading read.

THE CHANCELLOR OF THE EXCHEQUER, in moving the second reading of the Tobacco Duties Bill, said, that the hon. Member for the Tower Hamlets (Mr. Ayrton) having given notice of a Motion for referring the subject to a Select Committee—which Motion it would be his duty to oppose—he did not intend to make a speech on the merits on the present occasion. He would therefore simply advert to one or two Amendments which it would be his duty hereafter to move in Committee. Since he moved the Resolution on which the introduction of the Bill was founded, he had had an opportunity of communicating with the various parties interested; and the result was that he had been convinced of the general soundness of its provisions and the correctness of rates of duty imposed. One Amendment was of a verbal character, and another was in the nature of an adjustment of duty with regard to one particular class of commodity introduced under this Bill. The first Amendment, of a verbal character, related to the importation of Cavendish tobacco. The intention of the Government was that, so far as the material employed for the manufacture of Cavendish tobacco, the holders of British and foreign tobacco were to be placed on the same footing. The question was, whether the powers of the Bill as it stood at the present moment enabled the Government to enforce as to foreign Cavendish the same restrictions as in the case of British Cavendish. The Government believed they had this power; but there ought to be no doubt on so important a point, and he should propose in Committee to apply the same restraint as to the manufacture of foreign Cavendish which was applied in the present Bill in respect to British Cavendish—namely, to prevent the importation of foreign Cavendish tobacco containing the leaves of plants other than the tobacco plant. That Amendment would in the third clause. The other alteration related to that portion of the trade carried on in the sister island. It had been shown to be requisite to introduce some small adjustment in the rate of duty in regard to the manufacture of Irish snuff. The rate proposed for snuff was 3*s.* 9*d.* per lb., and that was an ample rate of duty to counteract the direct and indirect consequences of the Customs law, not only as affected snuff of British manufacture, but snuff in general. But with regard to the snuff manufactured in Ireland it was a peculiar and technical preparation, being what was called "high-dried" or "high-toasted snuff," and its manufacture required a larger portion of duty-paid material. A change would be proposed in Committee, although not an important one, with regard to this article. He mentioned these points because the proposed Amendment tended to raise a discussion which he wished to anticipate. He should content himself with moving that the Bill be now read a second time, and reserve his remarks on the Bill until after the speech of the hon. Member for the Tower Hamlets.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR STAFFORD NORTHCOTE:—What will be amount of the change in Irish snuff?

THE CHANCELLOR OF THE EXCHEQUER:—I will lay the particulars on the table to-morrow.

MR. AYRTON said, it was rather late (a quarter past one o'clock) to begin a discussion of this kind. He thought that the Bill had been introduced under a great misapprehension of the facts connected with the question. The subject was by no means a new one. The duty on tobacco was, indeed, one of the oldest levied, inasmuch as it had formed the subject of fiscal legislation ever since the reign of Charles II., and from that time to the present every sort of change had been made in the tobacco laws, and investigations had been conducted by Committees and Commissions of Excise and Customs. When the law was settled on its present basis, some discontent was felt by the trade. A Select Committee was obtained by Mr. Hume. A Resolution was proposed in that Committee, by Dr. Bowring, to the effect, that in order to prevent smuggling and adulteration, and to guard the public revenue, it was desirable that a considerable reduction should be made from the then existing high rate of duty; but the Government of the day (the late Sir Robert Peel's), which was represented in the Committee by the then Chancellor of the Exchequer, opposed the Motion, and carried an Amendment which stated that no such reduction could be effected without causing so large a loss to revenue as to involve the most serious financial consequences. The result was that the tobacco duties were left in the position in which they then stood, and under that system the trade had continued to work up to the present time. But, before he proceeded further, he was anxious to point out some of the peculiarities by which the trader in that commodity was surrounded. It was a manufacture which, at its very outset, was met by the most extraordinary restrictions, the growth of tobacco having been prohibited from the time of Charles II. most rigorously in this country. The law which enforced that prohibition had at one time been relaxed in favour of Ireland, and the growth of tobacco had begun to extend in that country considerably, when it was stopped by the law being placed on the same footing as in England. No one, he might add, was at liberty to deal with tobacco, when imported, except under particular regulations. The manufacturer was allowed to mix nothing with it but water, which he might use for the purpose of moistening it; nor, having once imported it, was he allowed to export it, except on certain conditions. There was, besides, an infinite variety of other restrictions, to the breach of every one of which a severe penalty was attached, so that the dealer in tobacco required to be constantly on his guard. Now, it was said that the duty on it was originally imposed for the purpose of protecting the English manufacturer, and that the object of the Bill before the House was to modify the present system. Those who took that view, however, laboured, he thought, under a misapprehension; for it so happened, that at the period when protection was looked upon as a useful system, there was no differential duty at all between manufactured and unmanufactured tobacco, it being only in modern times that it had been found necessary to make a distinction between the two, and it was quite clear that the imposition of the differential duty was entirely for the sake of revenue. A great misapprehension, he might also observe, prevailed with respect to the duty on cigars; the only cigars, he believed, ever imported under the existing law, with some trifling exceptions, being of two kinds, the Havannah and the Manilla, of which the former was quite an exotic commodity, of very limited growth, while the latter was a Royal monopoly of a limited character, selling at a factitious price. The Havannah cigars, he might add, varied in value from 10*s.* to 30*s.* per pound, the average being 13*s.*, and the duty was 9*s.* per pound, while the Manilla paid the same duty, the average value being 7*s.* per pound. That could scarcely be regarded as an oppressive rate by the rich, when it was taken into account that the poorer classes paid a duty of 3*s.* 2*d.* on tobacco, the average price of which was 8*d.* per pound. Since the present rates of duty were established, a very large manufacture of cigars had sprung up in this country, furnishing employment for some 4,000 workmen, besides a considerable number of masters. He might also observe that the number of real Havannahs was exceedingly small, the great mass of cigars consumed in this country being really manufactured here. While the demand for Havannahs was far greater than the number which could be manufactured for consumption, a Royal monopoly raised the price of the Manilla; so that no change of duty could materially influence the sale of these two classes. But it was not only against the operation of the revenue laws that the English manufacturer had to contend; the difficulties of his trade were increased by the caprices of those who bought cigars, who valued them by their size and not by their weight, and required that the outer leaf should be without blemish; that they should possess a delicate flavour, and that they should burn to a white ash. The manufacturer must buy a large bale of tobacco, which he must take at a venture, for he does not know until he works it what it will make, and to find leaves without blemish is difficult. Then the stalk and other hard parts which are not suited for the manufacture of cigars must be left out, and yet duty had been paid on all these; while the amount to which he was able to indemnify himself by selling the waste to the manufacturers of snuff was growing less and less, because the demand for snuff was diminishing day by day. Under those circumstances, the House would understand how keen the competition was under which the trade carried on their business. In point of fact, so small were the profits and so difficult of realization that he had heard of persons who, misled by statements which they had seen in the papers, had engaged in the manufacture and had been obliged to give it up. It was quite clear that the manufacture was carried on as economically as possible. The question which the House had to consider was whether this complicated system of Excise and Customs had attained the object for which it was devised. Had it repressed adulteration and smuggling? All the reports of late years, both of Excise and Customs, showed most conclusively that the manufacture in this country was in a sound and healthy state, and that there was no adulteration in cigars. The revenue officers were in the habit of going into shops and examining the cigars, and they had an infallible test of the genuineness of the cigar, and their evidence, when they said it was unadulterated, was surely worth something. He was speaking now of what was manufactured by licensed traders. Again, the Custom-house was equally satisfied that smuggling had been repressed. Of course it could not be entirely put down, because sailors were accustomed to bring in a pound or a half pound of tobacco, which could be easily twisted into any shape, but they meddled very little with cigars. But the Custom-house authorities warned them against precipitating any change with respect to the laws affecting this trade, for in their last Report they mentioned that when, upon the late remission of the Customs duties, they were disposed to concede to the merchants of this country the liberty of importing boxes and packages, they found boxes of cigars were introduced as boxes of toys. There was another point well worthy of consideration, which was that the revenue had steadily increased for the last thirty years: for the import of tobacco for consumption had increased from 1831 to 1841 360,000 lbs. yearly, from 1841 to 1851, 490,000 lbs. yearly, and from 1851 to 1861, 650,000 lbs. yearly. Up to this time, when there was no competition with the foreign manufacturer of cigars, it was the interest of the English trader to keep up the weight of his commodity, because diminution of weight was so much dead loss to him when once he had paid the duty. But the effect of this change would be, to make it the interest of foreign manufacturers to make their cigars as light as possible, so that they might get in the largest number at the lowest duty. Such was the extraordinary nature of the tobacco-leaf that it was capable of being increased or diminished in weight 100 per cent—it was just like a sponge—and therefore the manufacturers on the Continent were able to make the cigar extremely light. Before we arrived at the present law there was free trade in manufacturing tobacco. The Chancellor of the Exchequer of that day allowed every one to do what he liked with it. This went on for two years, but at the end of that time every one was so disgusted with the article as manufactured that they begged of his successor to put an end to the system. On the Continent, where they act on principles the reverse of ours, they have a process by which they can take the commonest and cheapest tobacco, steep it in water, and subject it to other treatment so that the coarse parts are extracted, and a tobacco is produced which is mild to smoke and which yields a white ash, and these cigars would be imported at a duty much below that charged on the tobacco necessarily used in cigars made in England. He maintained that this was a subject which should be well examined before so important an amount of revenue as was raised from tobacco was touched. The foreign manufacturers had many advantages over the English; for the former worked the most worthless commodity as compared with the most valuable. In Germany it scarcely mattered to what class of persons the operation of fabricating was intrusted, and a great proportion of the cigars there were of prison manufacture; but in this country the costly commodity, enhanced in value by revenue charges, must be committed to careful hands, or a loss instead of a profit would result to the manufacturer. The effect of the present system was that smuggling and adulteration were put down in this country, because the manufacturers of tobacco were responsible for the genuineness of the article, and for its not being smuggled. When the people were starving, an agitation would arise, and the cry would be, " The rich man has reduced the duty on tobacco to 9*s.* on what has cost 13*s.*, but the poor man pays 3*s.* 2*d.* on what costs 10*d.*" No one would propose to put on a duty, and the Liverpool Reform Association would have a new argument for resistance to the duty on the raw material. The House would do well to inquire into the consequences of this change, to satisfy themselves that no inconvenience and no injury would ensue. It was proposed to allow the manufacture in bond of Cavendish tobacco. Cavendish tobacco was made by steeping it in a little rum, sugar, and water, and every one could make his own Cavendish tobacco if he chose to steep it and press it. There was no necessity for the change. But, as a commercial operation, the Bill was of such a character as was best described by one of the most earnest advocates for the privilege to manufacture Cavendish tobacco in bond, who said the provisions of the Bill for that purpose were the production of a madman. He would not go into the question of snuff, because it excited the people of Ireland, but he had shown how intimately the question of tobacco was mixed up with the manufacture of snuff. After every possible change, the present system, both as to duty and regulations, was found to be the only practical system to protect the revenue against smuggling and the public against adulteration; on both those points the present system was eminently successful. The state of the manufacture had not been properly considered. The only effect would be to give up a number of English workmen and honest people for the benefit of a few persons—princes who kept their prisoners for nothing in manufacturing tobacco, Royal monopolists who prohibited the export of the raw material, and Cuban slave-holders and slave-dealers, who would put in their pocket any difference in price which the diminished duty would yield. If there were those who had absolute faith in the Chancellor of the Exchequer, it must have been rudely shaken by the financial operations of the last three years. The whole philosophy on which the change in the wine duties had been made was entirely erroneous. Instead of very light wines being introduced into this country, the right hon. Gentleman had introduced wine up to 43 and 44 per cent of proof spirit, whereas before they had nothing higher than 33 per cent. They had, therefore, the right to assume the possibility of error on the present occasion; and when the whole body of manufacturers were declaring that there was error, the wise and prudent course was to examine into the whole question. He therefore moved the Amendment of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the expediency of altering the Laws for raising a Revenue on Tobacco,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. MARSH said, he was glad to hear the argument that the Bill would benefit the rich and not the poor, because it showed, that although that argument might be carried to the verge of cant, the poor, if unrepresented, were well considered in that House. But he was of opinion that the Bill would benefit the poor, because he had been in colonies where manufactured tobacco was permitted, and it was found more economical, as it could be easier carried, and did not waste so much. As to the English agriculturists not being allowed to grow tobacco, the answer was, that although they could grow tobacco in England, just as they could grow pumpkins and grapes, it was not suited to the soil; no landlord would allow it to be raised, because it was an exhausting crop, and it would never be grown except for the purpose of cheating the Excise. The best cigars were those which were imported, and the reason was that the aroma was preserved by their being manufactured before the leaf was dry. Another argument in favour of the manufacture taking place in the country where the plant was grown was the absence of the temptation by the abundance of the plant to introduce foreign and deleterious substances.

Mr. COX moved that the debate be adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."

The CHANCELLOR of the EXCHEQUER hoped the House would not accede to that Motion. There was nothing so sacred or peculiar in the character of tobacco that it should be exempted from the ordinary rules of business in that House. The practice was to sit in Committee of Supply until one o'clock. It was now a quarter past twelve, and there was no reason why the discussion should be checked.

On Question, the House *divided*:—Ayes 46; Noes 90: Majority 44.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Colonel DUNNE stated that a deputation had just come over from the tobacco trade in Ireland to ask for inquiry, or at least an opportunity of stating their case in regard to this measure. This was one of the few manufactures which Ireland possessed, and had a right to claim the consideration of the House. He would therefore move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."

Mr. MAGUIRE, in seconding the Motion, observed, that 20,000 persons in Ireland were interested in this trade, and that one-third of the revenue which the Crown derived from this source of taxation came from that country. To expose the Irish manufacture to wholesale foreign competition would be to ruin it. He urged the right hon. Gentleman not to swamp a native industry when there was no real advantage to be secured in return.

The CHANCELLOR of the EXCHEQUER said, he was willing to consent to a Motion for the adjournment of the debate, but he could not agree to refer the subject to a Select Committee, which was, in fact, merely a mode of delaying the Bill and making legislation impossible for the present Session. The deputation from the Irish trade which he had seen had certainly not taken the same course as their representatives in this House. They had argued the details of the subject in a sensible and business-like manner with him, but not a word had they said of referring it to a Select Committee.

Mr. AYRTON repudiated any wish to prevent legislation for this Session. There was ample time for inquiry.

Motion, by leave, *withdrawn*.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate arising; Debate *adjourned* till *Friday*.

COMMITTEE OF PUBLIC ACCOUNTS.

NOMINATION OF COMMITTEE.

THE CHANCELLOR OF THE EXCHEQUER moved, "That the Committee of Public Accounts do consist of the following Members."

Motion made, and Question proposed.

MR. HENNESSY moved to suspend the Standing Order relative to this Committee, with the purpose of adding to the Committee the names of Colonel Dunne and Lord Robert Montagu. He complained that no Irish Member had been nominated on the Committee, though the subject had attracted great attention in Ireland during the recess; and an impression prevailed there that ever since the Union the accounts of the United Kingdom had been so juggled that great injustice had been done to Ireland.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "the Standing Order relative to the number of the said Committee be suspended,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER hoped that the House would not allow the Standing Order to be disturbed. The hon. and learned Gentleman had divided the House several times on the question last year, and had always been defeated by large majorities. It was clear that the hon. Gentleman was confounding two distinct subjects—taxation and account; and, certainly, there could not be any allegation that injustice had been done to Ireland in the matter of accounts. [Mr. HENNESSY: Most certainly there is.] If that were the case, it was strange that not a single instance had been brought before the Committee during the whole time of its sittings. The question was one which had no local relation, and the members had been selected solely from their presumed acquaintance with the subject.

COLONEL DICKSON said, that every word uttered by the Chancellor of the Exchequer showed the necessity of having an Irish Member on the Committee.

SIR GEORGE BOWYER said, the people of Ireland were deeply interested in the subject to be considered by the Committee, and therefore it was only fair that one of their representatives should take part in the inquiry.

MR. BLAKE assured the Chancellor of the Exchequer that there were several important defects in the mode of rendering public accounts in Ireland. He hoped the Amendment would be agreed to.

Captain STACPOOLE, Mr. MAGUIRE, and Lord CLAUD HAMILTON likewise supported the Amendment.

MR. KINNAIRD saw no good reason for altering the constitution of the Committee, which appeared to him to be unobjectionable.

On Question, the House *divided*:—Ayes 46; Noes 21: Majority 25.

Main Question put, and *agreed to*.

Motion made, and Question proposed, "That Sir Francis Baring be one of the Members of the said Committee."

MR. HENNESSY said, he thought this was a case in which the minority ought to exercise their constitutional privilege, even though they might have to keep dividing till four or five o'clock in the morning. The Committee on Public Accounts had made several mistakes with respect to Irish finance. He moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."

SIR FRANK CROSSLEY appealed to the hon. Gentleman to give way. The minority ought to yield to the majority.

MR. MAGUIRE begged to remind the hon. Baronet that his hon. Friend was only exercising his constitutional right. The responsibility must be thrown on the Government of their refusal to put one Irish Member on the Committee. It would only be a graceful and generous thing of the Chancellor of the Exchequer to yield to the unanimous wish of the Irish Members.

THE CHANCELLOR OF THE EXCHEQUER insisted, that there was nothing local in the inquiries of the Committee. There was no objection to place an Irishman on the Committee. If there was a vacancy on the Committee, the question would be considered. At present, however, nine gentlemen had sat on the Committee, and it was desirable that they should be reappointed.

COLONEL DICKSON would support his hon. Friend in every division which he might think proper to take in the endeavour to obtain the appointment of an Irish Member upon this Committee.

COLONEL DUNNE entertained the same feeling with regard to this appointment, though, as his name had been mentioned in connection with the Committee, he had hitherto neither voted nor spoken on the subject; but he now hoped that his hon. Friend would not persevere in his Motion.

LORD CLAUD HAMILTON said, there was deep dissatisfaction throughout Ireland at the systematic exclusion of Irish Members from this sort of Committee; and it was suspected there that the Government adopted this course in revenge for the rejection of their candidates upon the hustings in Ireland.

On Question, the House *divided*:—Ayes 12; Noes 39: Majority 27.

Question again proposed, "That Sir Francis Baring be one of the Members of the said Committee."

Motion made, and Question proposed, "That this House do now adjourn."

VISCOUNT PALMERSTON had no doubt that an Irish Member would be found fit to act on the Committee if a vacancy occurred.

Question put, and *negatived*.

Question, "That Sir Francis Baring be one of the Members of the said Committee," put, and *agreed to*.

Mr. EDWARD PLEYDELL BOUVERIE, Sir STAFFORD NORTHCOTE, Mr. PEEL, Mr. GEORGE CARR GLYN, Mr. COBDEN, Sir HENRY WILLOUGHBY, Mr. HOWES, and Mr. WALPOLE nominated other Members of the said Committee.

MARRIAGES (IRELAND) BILL.

Bill to amend the Law relating to Marriages in Ireland, *ordered* to be brought in by Sir EDWARD GROGAN, Mr. VANCE, and Mr. LONGFIELD.

Bill *presented*, and read 1°. [Bill 32.]

House adjourned at Two o'clock.

* * *

HOUSE OF LORDS,

Tuesday, February 24, 1863.

MINUTES.]—PUBLIC BILLS.—*Second Reading.*—English Church Services in Wales [H.L.] (No. 7).

PRIVATE BILLS.

Ordered, That this House will not receive any Petition for a Private Bill after *Tuesday* the 24*th Day of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any Petition for a Private Bill approved by the Court of Chancery after *Tuesday* the 12*th Day of May* next:

Ordered, That this House will not receive any Report from the Judges, upon Petitions presented to this House for Private Bills, after *Tuesday* the 12*th Day of May* next:

Ordered, That the said Orders be *printed* and *published*, and affixed on the Doors of this House and Westminster Hall. (No. 21.)

EAST GLOUCESTERSHIRE RAILWAY BILL.—SECOND READING.

VISCOUNT LIFFORD moved the second reading of this Bill. The noble Lord said, he was wholly unconnected with the district which this railway would traverse, but he happened to be on the Committee of last year which sanctioned this scheme. The present Bill simply asked for an extension of the time granted by the Act of last Session, which was promoted by local proprietors for the purpose of shortening the distance by railway between London and Cheltenham twenty-one miles, and for opening up a district of country at present destitute of railway accommodation. The scheme was originally promoted by the Great Western Railway Company, but that company had lately seen fit to withdraw their support. He believed there was no objection to an extension of the time asked.

Moved, That the Bill be now read 2^a.

LORD REDESDALE said, he must oppose the Motion, on the ground that the Standing Orders of Parliament had not been properly complied with. It appeared that some local proprietors had come forward and subscribed £120,000 as their share towards the costs of the undertaking, and that the Great Western Railway Company had subscribed the remainder of the sum (£440,000) necessary for making up the amount of capital, and had also guaranteed to pay 4 per cent interest on the £120,000. He was of opinion that the Great Western Company had acted in a very imprudent manner in the course they had adopted. The House could not enter into questions between the parties, but ought to confine themselves to the question whether the promoters of the scheme had done their duty or not. He begged to move that the Bill be read a second time that day six months.

Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")

Viscount LIFFORD hoped that the Bill would not be rejected on this occasion, but that a fortnight's delay would be granted to the promoters to consider the matter.

Lord REDESDALE said, he was unable to see why there should be any delay at all. The promoters had had plenty of time to perform their duty. He knew nothing at all of the merits of the scheme.

The Marquess of CLANRICARDE said, their Lordships were asked to reject this Bill without having received any information which could lead them to form a correct judgment on the matter. He thought the Bill ought to be sent before a Select Committee and be treated with fairness, and their Report would decide what should be done. He would, if in order, move that the debate be adjourned.

After a short discussion,

Further Debate adjourned to *Tuesday*, the 10th of *March* next.

ENGLISH CHURCH SERVICES IN WALES BILL [H.L.]—(No. 7.)

SECOND READING.

The Bishop of BANGOR *moved* that the English Church Services in Wales Bill be now read the second time. Considerable inconvenience had been occasioned by the present state of the law, which required that in all parishes in that country in which Welsh was the language commonly spoken, Divine Service should be performed in that language. A large number of English families were scattered through these parishes; and not understanding the language, they were virtually deprived of the benefit of assembling for public worship. The object of the present Bill was to meet this state of things. It empowered the Bishops of Welsh dioceses to make provision for the performance of Divine Service in the English language by licensing any building in any parish where the ordinary parochial Services are required by law to be in the Welsh tongue; and to nominate and license a Minister of such place. The licensed building was not to be a parochial chapel, nor were the rights of the Incumbent to be affected thereby. The necessity for some such measure was apparent, and he therefore hoped the Bill would meet with the approbation of their Lordships.

Motion *agreed to*.

Bill read 2^a accordingly, and *committed* to a Committee of the Whole House no *Thursday* next.

VOLUNTEER FORCE.—QUESTION.

Lord STRATHEDEN asked the Under Secretary of State for War, Whether Her Majesty's Government are prepared to enforce that part of the Report of the Volunteer Commission which recommends the Delay of Brigade and Divisional Field Days until the end of the Battalion Drill Season? The noble Lord said that it had been found by experience that when the brigade or divisional field day was held early in the year the men fell off from attendance on the ordinary drill for the rest of the year. It was therefore desirable that the annual gatherings should be postponed to as late a period of the year as possible.

Earl DE GREY and RIPON assured the noble Lord, that Her Majesty's Government was most anxious to carry out all the recommendations of the Royal Commission as far as possible. The recommendations varied in their character; some of them formed the subject of propositions to be submitted to Parliament, and required alterations in the law, others were only suggestions for the advantage of the Volunteer force, and were not suitable for strict regulations. No doubt there was great force in the arguments of the Commissioners on this subject, and he had heard from other sources, and learned from the evidence taken before the Commissioners, that it had been found, that when the more important field days of the year had been held in the early part of spring, it had been difficult for commanding officers to induce the members of their corps to come up to drill with the same zeal; and the drill thus falling off, had an injurious effect on the efficiency of the corps. But, it must be borne in mind, that there was another side to this question. Although it was quite true, that it was desirable that these great displays of the year should be postponed as late as convenient, they should not forget that they could only take place on certain occasions, when it was possible to bring together a great body of Volunteers—that was to say, when the convenience of members of corps rendered it possible for them to give up a whole day for that purpose. That could only take place on a very few days in the year, and it had been found that, of all days, the one on which the greatest mass of Volunteers could be got together was Easter Monday. The noble Lord had suggested Whit Monday. If that day was equally convenient, it would be an advantage, no doubt, to have the principal field day then; but so long as Easter Monday was the general holiday of the year, it was not unreasonable to choose that as the most convenient day for displays of this kind. The Government had not power to call Volunteers out for any purpose of this description in time of peace, and the appointment of the day and place rested with the commanding officers. The Government did not intend to make any regulation founded on the recommendations of the Commissioners, but he trusted that those recommendations would be considered by the officers commanding corps, and that they would take every possible step to prevent the falling off of drill after Easter Monday. He had ground for hoping that greater attention would be paid to this matter, as under the new system proposed by the Commissioners, and to be adopted by Government, a stricter test of efficiency would be enforced, and it would be to the interest of officers and men to take those steps which were best calculated to ensure such efficiency.

LORD TRURO said, he fully concurred with the noble Earl who had just spoken. The recommendation of the Commissioners was founded on a misapprehension or forgetfulness of the other duties the men composing the various Volunteers Corps had to perform, and he was glad to hear that the Government and the War Office would not interfere with the arrangements of the Volunteer force. It was only on a few occasions, such as Easter Monday, that the men could all leave their other avocations for the purpose of taking part in the displays of field-days.

After a few words from Lord STRATHEDEN,

House adjourned at a quarter past
Six o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 24, 1863.

MINUTES.]—NEW MEMBER SWORN.—For Devizes, Hon. William Wells Addington.

SELECT COMMITTEE.—On Private Bill Legislation, Mr. Hassard *discharged;* Mr. Hennessy, *added.*

SUPPLY.—Navy Estimates, Resolutions 1, 2, 3, *reported.*

PUBLIC BILLS.—*First Reading.*—Security from Violence [Bill 35]; Jurors' Remuneration [Bill 36]; Writs Prohibition [Bill 34]; Bills of Exchange and Notes (Metropolis) [Bill 33]; Marine Mutiny.

Second Reading.—Register of Voters [Bill 25].

Committee.—Prince and Princess of Wales' Annuities [Bill 30].

Report.—Prince and Princess of Wales' Annuities [Bill 30].

PRIVATE BILLS.—STANDING ORDER 120.

MR. MASSEY said, he rose to move that Standing Order 120, relating to private business, be repealed, and instead thereof the following be made a Standing Order of the House:—

> "It shall be competent to the Committee on any Private Bill to admit the Petitioners, being the municipal or other authority having the local management of the Metropolis or of any town, or the Inhabitants of any town or district alleged to be injuriously affected by a Bill, to be heard against such Bill, if they shall think fit."

He made the Motion pursuant to a pledge he had given the House a few days ago, on the occasion of a discussion relating to the numerous railway and other Bills affecting the Metropolis, which would come before Parliament in the present Session. The main object of the proposed Standing Order was to give the Metropolitan Board of Works, as the most competent body to be intrusted with the office, a *locus standi* before the Committees on those Bills, with the view of protecting the interests of the public generally from being injuriously affected by those undertakings.

MR. HARVEY LEWIS said, he wished to thank the hon. Member for Salford for having so promptly prepared the new Standing Order. He felt convinced it would be of the greatest value to the public, and especially to the inhabitants.

MR. LOCKE said, he wished to know whether it was intended by the proposed Standing Order that the municipality and "the inhabitants of any town or district" were to have co-ordinate powers to act under the circumstances referred to; because it might so happen, that notwithstanding the existence of the Metropolitan

Board of Works, the interests of the public at large might be in danger of being sacrificed. As an illustration of his meaning, he would refer to the proceedings of the London, Chatham, and Dover Railway Company, who, it appeared, with the consent of the London Corporation, was about to construct one of those frightfully ugly viaducts across Ludgate Hill, and thereby to shut out the view of St. Paul's.

Mr. COX expressed his approbation of the proposed alteration of the Standing Order.

Colonel WILSON PATTEN said, that under the Order, as proposed, there was no doubt that the "inhabitants of any town or district" might be allowed to appear before a Committee.

Motion *agreed to.*

Standing Order 120, relating to private business, read, and *repealed.*

On the question that the Order *proposed* by Mr. Massey be a Standing Order of the House,

Mr. CRAUFURD said, he wished to ask what was the object in using the expression "municipal or other" authorities?

Mr. MASSEY explained, that the Metropolitan Board of Works not being strictly a municipal authority, the words "or other" were necessary to include it within this Order.

Motion *agreed to.*

Ordered,

That it shall be competent to the Committee on any Private Bill to admit the Petitioners, being the municipal or other authority having the local management of the Metropolis or of any town, or the Inhabitants of any town or district alleged to be injuriously affected by a Bill, to be heard against such Bill, if they shall think fit.

Ordered, That the said Order be a Standing Order of this House.

CROWN LANDS—ANSWER TO ADDRESS.

Sir GEORGE GREY reported Her Majesty's Answer to Address [13*th February*], as follows:—

I have received your Address, praying that I will give directions that no Sales to facilitate Enclosures be made of Crown Lands or Crown Forestal Rights within fifteen miles of the Metropolis.

The desire conveyed to me in this Address will receive due consideration.

Mr. Locke

NAVY—DOCKYARD PROMOTION.

QUESTION.

Mr. FERRAND said, he wished to ask the Secretary to the Admiralty, Whether the Board intends to rescind the Regulation, bearing date the 16th day of October, 1861, relating to promotion in the Royal Dockyards? The Regulation in question prohibited all promotion in Her Majesty's Dockyards after the age of forty-five.

Lord CLARENCE PAGET:—In answer to the hon. Gentleman, I have to say, that there is no intention on the part of the Admiralty to rescind that Regulation.

ARMY ESTIMATES.—QUESTION.

Sir HENRY WILLOUGHBY said, he wished to ask the Secretary of State for War, Whether the numbers of the Foremen, Artificers, Workmen, &c. in the various manufactories of the War Department are not omitted in the Army Estimates for the year 1863-4; and, if so, whether the Secretary of State for War will take care that the omission be supplied in the same form as in the Army Estimate of 1862-3?

Sir GEORGE LEWIS replied, that the Army Estimates of this year had been prepared with considerable care, with the view of laying before the House all the information that was likely to be useful in debate. The details referred to by the hon. Baronet were advisedly omitted, for the reason that the artificers employed by the War Department were, for the most part, paid by the piece, and therefore any statement of the number of persons employed was necessarily founded upon vague and uncertain data. But if the hon. Gentleman wished for the number, he would take care that it should be laid upon the table.

EXPORTATION OF SALMON.

QUESTION.

Mr. TUCKER SMITH said, he would beg to ask the Secretary of State for the Home Department, If it is the intention of Her Majesty's Government to bring in a Bill during the present Session to prevent the exportation of Salmon from the United Kingdom during the fence months of the year?

Sir GEORGE GREY, in reply, said, my hon. Friend the Under Secretary of State for the Home Department intends to give notice that he will ask leave to introduce a Bill on the subject.

SALMON FISHERIES (IRELAND) BILL.

[BILL 1.] QUESTION.

SIR **ROBERT PEEL** said, he rose to ask the hon. Member for Wexford a Question with reference to the postponement of the Fishery Bill, which stands for Committee on Wednesday next. When the Bill was read a second time, it was understood that the Committee should be postponed for a fortnight, and that fortnight would expire to-morrow. As the Government wished to propose some Amendments he wished to ask the hon. Member, If he would consent to a further postponement till to-morrow week ?

MR. **M'MAHON** said, he yesterday refused to postpone the Bill when asked to do so for the convenience of Irish Members; but as he understood that the Bill was the only business on the Paper for the next day (Wednesday), and that if it were postponed the House would not meet, he would, therefore, consent to the postponement of the Committee.

ADJOURNMENT OF THE HOUSE.

VISCOUNT **PALMERSTON**: Sir, with reference to what has just fallen from the hon. Member for Wexford, I rather think there is no public business standing for to-morrow, and I am not aware that there is any private business of any importance. If that be so, perhaps when the House adjourns later in the evening, it may be for the convenience of the House that we adjourn till Thursday.

MR. **HADFIELD**: Is the House to sit on the 10th of March ?

OUTDOOR RELIEF IN IRELAND.

QUESTION.

MR. **LANIGAN** said, he would beg to ask the Chief Secretary for Ireland, If he can inform the House why the Irish Poor Law Commissioners have not ordered outdoor relief to be given to distressed agricultural and other labourers, and to the unemployed and destitute mechanics in Ireland ?

SIR **ROBERT PEEL** said, the hon. Member seemed to be under some misapprehension. According to the 1st section of the Act of 1847 it rested solely with the Guardians, and not with the Poor Law Commissioners, to give or withhold outdoor relief. There were three classes to whom outdoor relief would be given under that section of the Act by the Guardians, without any reference to the Poor Law Commissioners. First, destitute poor persons who were permanently disabled from labour by reason of old age, infirmity, or bodily or mental defect; secondly, to destitute poor persons, disabled from labour by reason of severe sickness or having met with serious accidents; and, thirdly, destitute poor widows, having two or more legitimate children depending on them for support. Therefore, the Poor Law Board had nothing to do with the matter, so far as the class to which the Question referred to was concerned.

EXTRADITION TREATY WITH ITALY.

QUESTION.

SIR **GEORGE BOWYER** said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether any Treaty, Agreement, or Convention has been entered into with the Government of King Victor Emmanuel regarding the extradition of persons charged with having committed offences in Italy and resident at Malta; and, if so, whether Her Majesty's Government will lay such Agreement, Convention, or Treaty upon the table, with the Correspondence relating to it; and, if not, whether any negotiation is going on between the two Governments for the purpose of concluding such an Agreement, Convention, or Treaty as above-mentioned for extradition, or whether such negotiation has been brought to a conclusion; and whether the Correspondence will be immediately, or when, laid upon the table.

MR. **LAYARD**, in reply, said, that no Treaty or Convention, nor, indeed, in the strict sense of the word, Agreement, had been entered into by Her Majesty's Government with the King of Italy with regard to the extradition of offenders. What had taken place was this:—Some time ago the Italian Government proposed that this country should enter into an extradition treaty with them for the surrender of criminals who in large numbers had taken refuge in Malta. The British Government declined to enter into such Treaty, but suggested that they would do what was constantly done in the Colonies—namely, pass a local Ordinance for the surrender of certain criminals. This suggestion was accepted by the Italian Government. An Ordinance had been prepared and had been submitted to the Council of Malta. According to the law, before an Ordinance could be passed, it must be published in draft for a certain period in the *Gazette* of Malta. It had been so published, but had not yet passed the Council. When it had passed, it should, with all the correspondence, be laid on the table of the House. But he could assure the hon. and learned Baronet there was no reference in the Ordinance to political offenders.

SIR GEORGE BOWYER: Is the hon. Gentleman aware that such an Ordinance has been proposed in the Council, that amendments have been moved, and that the Ordinance has been published in the newspaper?

MR. LAYARD: I have just stated that according to the law, the Ordinance must be published in draft before it can be passed. It has been so published, and when the requisite time has elapsed, it will then become law.

SIR GEORGE BOWYER: That is not answering my Question, which is, whether the hon. Gentleman is aware that that Ordinance had been passed in the Council—that it had been previously debated by the Council, and afterwards published in the *Gazette.*

MR. LAYARD: I am not aware that it has passed.

MR. HENLEY: Does the word "criminal" include political offenders.

MR. LAYARD: I have stated that it does not include political offenders.

SIR GEORGE BOWYER: May I ask whether that Ordinance is similar to the extradition clauses in the Treaties which have been entered into between this country and America and between this country and France; or whether that Ordinance includes a great number of offences besides those mentioned in the Treaties with America and France?

MR. LAYARD: The hon. and learned Gentleman did not give me notice of this part of the Question, and I cannot, therefore, give him an exact answer.

PRINCE OF WALES' MARRIAGE DAY.

QUESTION.

MR. HADFIELD: I am afraid my Question did not reach the noble Lord at the Head of the Government, just now. The 10th of March is generally looked forward to as a general holiday, and I beg to ask, Whether the noble Lord intends that the House shall sit on that day?

VISCOUNT PALMERSTON: Mr. Speaker, I imagine that you, Sir, will be in attendance elsewhere on that day, and therefore probably the House will not sit.

FRENCH MEDIATION BETWEEN THE FEDERAL AND CONFEDERATE STATES.

QUESTION.

MR. HOPWOOD said, he would beg to ask the First Lord of the Treasury, If there is any Correspondence between Her Majesty's Government and the Emperor of the French relative to the offer of mediation between the Federal and Confederate States; and, if so, whether there will be any objection to lay it upon the table of the House; also, if Her Majesty's Government are aware that any reply on the subject has been received by the Emperor of the French from the Federal Government?

VISCOUNT PALMERSTON: Sir, the only official document on the subject to which the hon. Gentleman's Question relates is the Despatch from Lord Russell of the 13th of November last to Lord Cowley, containing a reply to a verbal communication which had been received from the French Ambassador, and that Despatch is already on the table of the House. With regard to any later communication between the French Government and their Minister at Washington, and the answer which may have been given to it, I am sure the hon. Member must see that it is not convenient, if it were even possible, for Her Majesty's Government to give answers as to the communications between foreign Governments and their agents in foreign capitals.

BENCHERS' JURISDICTION AND AUTHORITY BILL—[BILL 10.]

QUESTION.

In answer to a Question from Mr. ROEBUCK,

SIR GEORGE BOWYER said, he had no wish or intention to press the Bill on unduly. He desired to take with respect to it the course which was most convenient and most respectful to the Benchers. He thought it was arranged on the last occasion when the Bill was before the House that he should settle with the Solicitor General the time at which it should be brought forward again. He therefore proposed, after having conferred with him, to put down the second reading of the Bill for the day most convenient to the Benchers with reference to the matters they had under consideration.

APPROPRIATION BILL.—RESOLUTIONS.

Mr. SPEAKER: Before I call upon the noble Lord (Lord Robert Montagu) to move the Resolutions of which he has given notice I wish to mention to the House that there is an objection in point of form to the Resolutions as they stand upon the paper. The noble Lord proposes to move two Resolutions, the second of which is as follows:—

> "That the 26th Clause of the Appropriation Bill, which was first introduced into the Act of 1846, and which unsettles the appropriation of all the grants of the year for the Naval and Military Services, be expunged from the Appropriation Act."

The House will at once see that it would be irregular to discuss the clauses of a Bill which has not yet been presented to the House. Again, as relates to the first Resolution—

> "That the Appropriation Bill be printed and distributed in time for consideration before the Bill passes through Committee of the House,"

I must remark, that when the Appropriation Bill is introduced, any question about the printing of the Bill, its distribution, and the time for discussing it, ought then to be brought under the notice of the House, and can then be settled. But anticipating discussion on a Bill, which must come in the course of the present Session under the notice of the House, is, in my opinion, irregular. I have therefore privately intimated to the noble Lord that the mode in which he proposed to bring the subject under consideration would not be in conformity with the rules and orders of the House.

Lord ROBERT MONTAGU said, he rose on a question of order. He wished the right hon. Gentleman would instruct him as to the course which he ought to pursue. Two years ago he brought the same subject under the consideration of the House, and the right hon. Gentleman the Chancellor of the Exchequer and the right hon. Gentleman the Member for North Wilts (Mr. Sotheron Estcourt) both concurred in the opinion that he ought to bring the question forward at the beginning of the Session. In obedience to those high authorities he had done so, and he now understood that it was out of order. He would act in obedience to the decision of the right hon. Gentleman (the Speaker), but he wished to know the course which he ought to pursue; for the state of the case was this:—The Appropriation Bill was not printed, nor was it in anybody's hands, until it became the law of the land, and the matter was past remedy. For the last seventeen years most objectionable matter had been introduced into the Bill without the knowledge of the House — matters which he would undertake to prove lay at the very root of the abuses of their financial system. He would undertake to prove that it had "infistulated"—if he might use the expression — the whole financial system of the country. He would therefore beg leave to ask the right hon. Gentleman what course he ought to pursue.

The CHANCELLOR of the EXCHEQUER said, as far as regarded the second of these Resolutions, it contained matter of very considerable public importance, and, in its substance, was well worth the attention of the House. He would fain hope the noble Lord would, through the help of the right hon. Gentleman, find means of bringing the substance of that Resolution under the consideration of Parliament. But as respected the first Resolution, he would submit to the consideration of the noble Lord, whether it was hardly necessary to trouble himself or others to discuss the mode of bringing it into proper shape, because it was not customary for the House to occupy itself with discussing whether a particular Bill should be printed or not. What he wished to point out was, that there was nothing in the matter which the noble Lord had in view which required him to submit a Motion to the House, even if formal. The present state of the case was this:—The Bill was prepared by the Government and printed for the use of the House, and he freely tendered to the noble Lord the assurance on the part of the Government that the Bill should be carefully revised, and he had no doubt the same thing would be done by those who might succeed them. The Bill should be revised by the Government in time to be printed before it went into Committee. It was not for him to say that the Bill should be printed; it was for the House to determine that. But, so far as the Government was concerned, he could assure the noble Lord that no impediment should be thrown in the way of having the Bill printed before going into Committee.

Mr. SPEAKER: I had the pleasure

of informing the noble Lord, when I thought it my duty to object to the form of his Motion, that I should be very happy to give him my assistance in drawing up a general Resolution to accomplish the main object he has in view. But I was not able to undertake to do so under the pressure of public and private business now on my hands. I must, however, inform the noble Lord and the Chancellor of the Exchequer, that for some years past it has been customary to print this Bill; the only difference is, that instead of a large number of copies being circulated through the body of the House, a hundred copies are printed, and are at the disposal of hon. Members in the Vote Office.

Mr. HADFIELD said, he wished to call attention to the fact that there were other Bills of the same description. For instance, the Indemnity Bill was passed annually without being printed——

Mr. SPEAKER: If the hon. Gentleman will communicate with me in private, I shall be happy to give him every assistance on the subject.

NAVY (PROMOTION AND RETIREMENT).

ADDRESS MOVED.

Sir JOHN HAY said, he rose to move that the House should, upon Thursday next, resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, submitting to Her Majesty, That, in the opinion of this House—First, the position of the Officers of Her Majesty's Naval Service, in respect of promotion and retirement, is not satisfactory, and ought to be amended; secondly, that with a view to the increased efficiency of the Naval Service, and to meet the just expectations of Officers with respect to promotion, it is desirable to adopt for all ranks the principle of retirement by age; thirdly, that the pay of Naval Officers ought to be so adjusted as to enable them consistently to maintain the rank they hold, and to give them fair remuneration for honourable service. It might remove some misapprehension if he were to state that the fourth clause, which he intended to remove from his Resolution, and which was removed from the paper in the hands of the Speaker, was retained in the papers in the hands of hon. Members generally. He wished also before proceeding with the statement which he proposed to make to pay that deference which was due to the noble Lord the first Minister of the Crown, who had at the last moment given notice of the Amendment which was on the paper. Were he at all certain that the appointment of the Select Committee proposed by the noble Lord would enter on a proper consideration of the subject to which he was about to call attention, it would not be at all respectful to the House to occupy their time after such a suggestion from the first Minister of the Crown. But it would be in the recollection of the House that one of the highest authorities in it—the Chancellor of the Exchequer—had laid down the axiom that referring any subject to a Select Committee was the same as shelving it. [The Chancellor of the Exchequer dissented.] The right hon. Gentleman shook his head, but the House would recollect that he had given expression to a conviction of that kind in that House on a previous occasion, and therefore it was well that they should understand what the intentions of Her Majesty's Government might be when they suggested that any particular subject should be submitted to a Committee. The reasons he had for requesting the attention of the House to the subject were of sufficient moment to warrant him in discussing it at considerable length. It would be admitted that considerable dissatisfaction existed amongst the officers of the navy, and that dissatisfaction, he believed, was not without some grounds—indeed, it might be said good grounds; because the first Minister of the Crown had, at the last moment, suggested that the subject should be referred to a Committee, which he would not have done if there had not been some matter for the Committee to investigate. In the first place, he would call attention to a speech made by the First Sea Lord of the Admiralty at the recent election in Devonport. That Gentleman was a great authority on naval matters, and he stated, with respect to the scheme for increasing the pay of naval officers, as follows:—

> "There was another question which had been brought forward, and that was respecting a scheme for increasing the pay of certain naval officers. In the position which he held as one of the Lords of the Admiralty they could not expect him to enter into the details of such a scheme as that. Before the Admiralty were advised to adopt a scheme of that nature, he thought they should be furnished with every particular of the grievances of which those naval officers complained."

One would imagine from that remark that no such grievances had ever been brought under the notice of the Admiralty or that, if they had, the Admiralty had been in the habit of attending to them. It would, however, be in the recollection of the House that in 1859 the hon. and gallant Member for the East Riding (Admiral Duncombe) presented a petition, signed by 500 lieutenants, and he mentioned on another occasion this petition to the First Lord of the Admiralty. The First Lord of the Admiralty in his public capacity took no notice of that petition, but in his private capacity he directed his private Secretary to write as follows:—

> "I am directed by the Duke of Somerset to acknowledge the receipt of your letter of the 21st of December, 1859, and the accompanying memorial, to which he will give his attentive consideration, and it will give him great pleasure, should he find himself at liberty, to improve the condition of the memorialists."

Well, not very long after that, in 1860, another petition of a very important character, signed by nearly all the lieutenants of the Channel fleet, sixty-four in number, approved by most of the captains of the ships in which they were serving, was presented to the Admiralty through the commander-in-chief of the fleet (Sir Charles Fremantle), in which the grievances of the petitioners were most respectfully made known to the Board. No reply was given to that memorial, but the following circular was issued:—

> "All combinations of persons belonging to the fleet, for the purpose of bringing about alterations in the existing rules and regulations of the navy, whether affecting their interests individually or collectively, are prohibited as being contrary to the established usage and practice of the service, and injurious to its interests and discipline. Every person is by the Naval Discipline Act, 1860, (Part I., sec. 33,) fully authorized individually to make known to his superior any just cause of complaint, but individuals are not to combine, either by the appointment of committees or in any other manner, for the purpose of obtaining signatures to memorials, petitions, or applications, nor are they collectively to sign any such document."

That was the reply to the petition which in 1860 was placed before the Admiralty in the most respectful manner, and yet it would be seen that the First Lord of the Admiralty, instead of doing all he could, and the Board of which he was a member doing all they could to redress the grievances, both the noble Lord and the Board had done all they could to stifle the complaints. Various other classes had submitted their claims to the consideration both of that House and the Ministers of the Crown. Not very long ago the surgeons of the navy had grievances, and they had strong grievances no doubt. But they were a strong body; the Medical Colleges took up the matter, and the students were most strongly advised not to join the navy. The Admiralty found that for a time no medical officers were forthcoming, and so under that pressure the grievances of the surgeons were redressed. Various other classes had complaints, but their complaints were never listened to except under compulsion. The executive branches of the navy received no consideration whatever. Very recently complaints had been made by the masters of the navy, which was one of the most valuable executive bodies connected with the service. Their complaints had been laid before the Admiralty; the Admiralty appointed a Committee—that was the usual course; the Committee sat, and reported to the Admiralty, but neither the masters nor any one in the world, except the Admiralty, had heard what the result of that Committee was; and although a year had elapsed since the Committee reported, the report had never been made public, far less acted upon. Knowing these facts, then, was it surprising that the officers of the navy looked upon the Admiralty as anything but their friends—that they looked at the heads of their profession as being those who endeavoured, as far as might be, to deprive them of those just rights which he was sure, when known and appreciated by the country, would be readily granted to them. When the circular was issued to which he had already alluded, his hon. and gallant Friend the Member for Portsmouth (Sir James Elphinstone) moved for the Committee which the noble Lord proposed to resuscitate, and which was then opposed by the influence of the Government. That was a Committee to inquire into promotion and retirement in Her Majesty's navy. The Government, unable to defeat the Motion directly, determined to do so by a side wind. A Committee was sitting at the time upon the construction of the Board of Admiralty, and the mode in which the other Committee was got rid of was by saddling the Admiralty Committee with all the members of his hon. and gallant Friend's Committee, and directing the large and unmanageable joint Committee to discover the truth on two subjects which had nothing on earth to do with each other. That unmanageable Committee fell to the ground, and in 1862 it was not re-appointed; and after an amazing amount of evidence had been taken, damaging to the character of the Admiralty Administration, that evidence was consigned to the waste-paper basket.

It was but right that he should refer to the course which he had himself taken with regard to the subject he desired to bring under the consideration of the House on that occasion. When that Committee was sitting he had not the honour of a seat in that House, but his hon. and gallant Friend near him suggested to him that it would be extremely desirable to ascertain what the opinion of the officers of the service was, and lay it before the Committee, and that for that purpose they should get satisfactory evidence—he did not mean evidence biassed one way or the other—but the evidence of officers of sufficient standing in the service and sufficient knowledge to appear before the Committee, who would not take up the time of the Committee by a great deal of irrelevant evidence, but who would speak to the point. There was a Committee at that time sitting in London on another subject connected with the navy, and of which he (Sir J. Hay) happened to be a member, and he mentioned to them the fact that this information was required, stating also that it seemed to him that their Committee might be used as an instrument for ascertaining the opinion of the officers of the navy. There was some considerable difficulty in obtaining opinions in the face of the Admiralty circular; but it was arranged that each officer should be written to, with a copy of a letter, with a request that he would give his opinion on the matters alluded to in the letter, and state the mode in which he proposed to remedy any grievance which might exist. That course was taken with above 1,500 officers, whose names were in his possession, and who had contributed the information required of them. Among them were officers of the highest possible rank—forty-seven admirals, some of whom were in active service, and 1,200 officers of all ranks in active service. When these replies had all been collected, he waited upon the Duke of Somerset, and had the honour of a personal interview, and he placed in the hands of the First Lord of the Admiralty the suggestions that had been received, and a copy was sent to the Secretary of the Admiralty and all the members of the Board. In order that that document should have some parentage, he had placed his name in the corner of it; but he must not omit to pay a due compliment to the gentleman who had acted as the secretary of the committee to which he had referred, the Rev. Mr. Harvey, the secretary of the Navy Fund, who had given up his time, and worked most zealously for the benefit of the navy, and he was sure for the benefit of the country also. Mr. Harvey was the descendant of an old naval stock. He was descended from that Harvey who fought in the famous action of the 1st of June, and all his relations — brothers, father, uncles, cousins—were distinguished naval officers. He therefore came from a good old naval stock, and he had accordingly taken great interest in the service. To that gentleman he (Sir J. Hay) was indebted for the calculations which were set before the House in the printed papers, and which he was happy to say had been accepted by the Admiralty as correct, the whole of them, with one trifling exception, having been verified. He had been criticised by the Duke of Somerset, and on one or two points he should like to criticise his critic. In page 21 of the printed papers it was stated, in the Duke's memorandum—

> "The cost, therefore, of the proposed plan for these four classes of officers (supposing that no additional pay be granted to officers omitted from the plan) amounts to a quarter of a million annually."

That sum was afterwards made to increase like Falstaff's men in buckram, for in page 24 it was stated—

> "According to the plan proposed in these suggestions the immediate charge for retired naval officers would amount to half a million."

Now, it was desirable that the House should understand that no such demand was made. It was also stated that the cost of the reserved list had been omitted; but that was a misapprehension. In page 27 it was remarked that the active list of the navy had been restored to a more satisfactory condition with regard to promotion, but that statement was based on an average of only two years, and the question was whether there might not be found within the next ten years greater stagnation and irregularity in promotion than had occurred before. The principal object he had in view was that stated in the Resolution he was about to propose—

namely, that "the position of the officers of Her Majesty's naval service, in respect to promotion and retirement, is not satisfactory, and ought to be amended; that, with a view to the increased efficiency of the naval service, and to meet the just expectations of officers with respect to promotion, it is desirable to adopt for all ranks the principle of retirement by age." The adoption of that system would promote the efficiency of the navy, because the officers, being reduced in number, would be more constantly employed. The principle he advocated was applied in every foreign navy, and especially in that of France. Admiral Mundy, who during his recent distinguished services in the Mediterranean had been in constant and friendly communication with the French navy, expressed himself very strongly on this point in a book he had lately published. Speaking of certain inferiorities in our navy, as compared with that of France, he said—

> "The Admirals, Captains, and other officers in active service afloat, in the French navy, are all comparatively young in their respective ranks—a Vice Admiral is placed in retirement at sixty-five years, and a Rear Admiral at sixty-two, the Captains and junior officers following the same law on a graduated scale, by which means a steady flow of promotion is certain through every grade. The compulsory removal from the active list at a fixed age, is considered one of the main elements for securing advancement in the profession, and it is rigidly enforced to a day by the Minister of Marine. This system, where existing interests are fairly respected, is highly conducive to the efficiency of the service, but it could never give general satisfaction to the officers of the British navy, nor could it be justly carried out, unless Flag Officers, Captains, Commanders and Lieutenants were all made impartially subject to the regulations of the scheme. I hold it, then, to be advisable for the well being and content of the Royal Navy, that some statesmanlike measure, having for its base the retirement from active service afloat at a fixed age, should be introduced by those having authority in these matters; and the sooner this long pending and irritating question is settled, the more acceptable it will be to the service at large." [*Mundy*, pp. 362-3.]

A forced retirement of officers at a fixed age would, of course, lead, in the first instance, to an increase in the retired list, but not in the navy list as a whole. A certain number of officers would be transferred from the active to the retired list, while the number of both classes on the books of the navy would remain as before. It was important to point that out, because it had been erroneously assumed, in the criticism on his proposal which he held in his hand, that while the one body was to be augmented, the other would be maintained at its old figure. At present there were six different retired lists for admirals, ten for captains, four for commanders, and three for lieutenants. There was no reason whatever for such a diversity of classes. It was impossible to discriminate between one class of officers and another; and the variety of lists gave rise to a great deal of professional jealousy, nearly every one feeling aggrieved at the difference between his neighbour's position and his own. In fact, the present plan was altogether of a hand-to-mouth character, without consistency or cohesion. Whenever the Admiralty found the navy getting too full, they induced a certain number of officers to go on the retired list. At one time several distinguished admirals were bribed off at the rate of 18*s*. 6*d*.; but the higher allowance of 25*s*. had been given to a subsequent batch, although they were not of the same standing. The consequence was that those on the former list very naturally complained that an injustice had been done to them. They said that they went off to relieve the navy; that they took what they could get; but that it was not fair to get them out of the way to bring on another list at a higher bribe. But the same course was pursued throughout the whole of these retired lists. He therefore urged the Government to amalgamate all the retired lists, to recompense the officers on a fair and uniform principle, and thus to put an end to these jealousies which were so injurious to the service, and were cherished by means he would say, not of the injustice, but of the irregularities of the retirement. There was no reason for proposing that there should be sixty admirals on the list beyond the fact that there were forty men on the list above the age who would have retired in consequence of age if the age system had been adopted; and that reduced the list to sixty, and it did injustice to no one. Before adopting that system it would be necessary to provide for the very few distinguished admirals at the head of the list. The proposal was, that when an officer had passed the age of a given rank, he should be promoted to the rank above it and placed on the retired list; but above the rank of admiral there was only the rank of Admiral of the Fleet, which corresponded with that of Field Marshal in the army. It was therefore suggested that some of those distinguished admirals at the head of the list, who had commanded fleets or squadrons, should receive promotion to the analogous rank which was given to military officers when they achieved the rank of Field Marshal. It was usual in the navy to have only one or two Admirals of the Fleet; at present there were seven Field Marshals; and it was naturally suggested that on the auspicious event which was shortly to occur, the officers in question should receive that step in rank which the House would not grudge them, and which they might not live long to enjoy, but that the number of the highest rank should be finally fixed at three. With reference to the number of admirals on the active list, the suggestion was that they should be reduced to sixty. There were now twenty, including those attached to the Admiralty, on active service, and that number actively employed would leave forty more ready to serve if occasion should require. It was also proposed to reduce the list of captains from 350 to 250; and as it was found that not more than 115 or 120 were employed, that reduction would give an opportunity to all the captains of serving constantly, or if not, of retiring from the list. The proposal would increase the captains on the ten retired lists from 439 to 590 officers, but at the same time it would do justice to those reserved captains whose hardships had been so frequently discussed in the House. Without going through all the various classes, he might say that his proposal would reduce the active list from 1,753 to 1,313 of all classes, and the intention was to prevent its further increase—so to use the retired list as to keep the active list down at a more workable number. The Admiralty alleged that the active list was never in a more satisfactory condition. In 1852 he addressed a letter to the noble Lord at the head of the Government on the subject of the navy as it then was; and on the basis of the Northampton tables he drew up a calculation which showed how the promotions from the captains' to the flag list would take place up to 1870. Singularly enough, in four of the ten years already he had named the man who had been junior rear admiral on the 1st of January, and in two others the persons whom he had named were on the point of arriving at the rank in the month of January. In two years, from exceptional causes, the calculations were wrong, but they righted themselves in following years, and were now within a very few names of the truth, ten years from the time of calculation. However his calculations in the main had proved correct, for what was wrong in one year would right itself in another, and therefore there could be no doubt that the tables in question formed a very reliable guide. He warned the Government, that although for the next two years there might not be a dead lock, yet stagnation in regard to promotion would certainly ensue after a few years, when the present admirals would all be men who had reached that rank at about fifty or sixty years of age. What was wanted was such a steady flow of promotion as would infuse fresh blood into the various ranks and maintain throughout the service that youthful vigour which was so essential to its efficiency.

He would next direct attention to the excessive hardships entailed on naval officers from the low scale of pay in all ranks. In the memorandum of the Admiralty it was stated that the present scale of pay was fixed by an Order in Council of date 1816, and had been arranged with due regard to the rates of pay in the army. He found by reference to the Order of Council that such was the case. Laying aside all questions of purchase, the pay of the naval officer was not fixed at the same rate as that of the military officer. The pay and allowance of an admiral commanding in chief amounted to £2,930 a year, while the pay of a general amounted to £4,151. A vice-admiral received £2,550; a lieutenant-general £4,050. The pay of a rear-admiral amounted to £2,190; that of a major-general to £3,904. According to the Order of 1816, there were circumstances peculiar to the naval service which counterbalanced the superiority in pay of the military service. Those circumstances, however, no longer existed, for they consisted for the most part, as stated in the Order itself, of the right of naval officers to their respective shares of prize money. While touching on the subject of prize money, he might ask how it was that in the Navy Estimates nothing was said, as promised, of the Kertch prize money? What had become of all the prize money so long due to the army and navy? He was surprised that the Admiralty should choose the present moment to refer the officers of the navy to an Order which stated that the pay of the military service had been fixed at one third more than that of the navy, in consequence of the prize money and other allowances receivable by naval officers. But the non-receipt of prize money was not the only grievance of which naval officers had reason to complain. The batta formerly allowed to officers serving in the East Indies had been most unjustly taken away from them. Until within the last few years the naval commander in chief on the Indian station received nearly £5,500 per annum. While, however, the War Office continued to give the generals commanding in India and China a certain allowance in lieu of batta, the Admiralty had refused, at the suggestion of the Secretary of State for India, to make a similar provision for the naval commander-in-chief. Considerable difficulty was consequently experienced in finding an officer willing to accept the post, and, if he were correctly informed, the present commander in-chief had serious thoughts about resigning his command, on account of the inefficiency of his pay. He now received, including table money, £2,190 a year for discharging the same duties for which he was formerly paid £5,500, everything included. There was no officer of the Crown in the East, holding a corresponding rank, who was not paid double the sum given to the naval commander-in-chief. For example, the Lieutenant Governor of Hong Kong received £5,000 a year; the generals commanding in Madras and Bombay between £7,000 and £8,000, and the commander-in-chief in India about £10,000. It might be said that the naval commander-in-chief did not run the same risk; but what was the fact? Within the last few years several naval commanders in chief had died on the station; and yet, in spite of the responsibility he incurred and the hardships he suffered, the officer in command on the Indian station did not receive from the Admiralty anything like the consideration which had been accorded by the War Office to the military servants of the Crown in the East. Injury had been done to the emoluments of naval officers in another way. What he meant was, that they had been deprived of freight for the treasure which was formerly brought home in men-of-war, and now, in consequence of altered circumstances, was conveyed in contract steam vessels. Some years ago, about 1835, the commander-in-chief on the West Indian station received, including pay, freight and prize money, £14,000 a year. He now did the same work for £2,500 per annum. The pay of no military officer had been reduced in the same proportion, and surely it was not too much to ask that the pay of the naval commander-in-chief in the West Indies should be raised by £1,000 a year, in order that he might be prevented from running into debt. Again, the post of the naval commander-in-chief in the Mediterranean was one of the most important under the Crown. It was impossible to say what calls might not be made upon him, or what diplomatic skill he might not be required to show. Was it right so to limit his pay as to make it almost impossible for any officer to go to the Mediterranean unless he had a large private fortune? Surely the service had not been thrown open to the competition of all classes, in order that high commands should be held only by wealthy men. It was not proposed that the naval commander-in-chief in the Mediterranean should be so highly paid as the Governor of Malta, or Gibraltar, or the Lord High Commissioner of the Ionian Islands, though his position was far more responsible than any of them. The proposal was that he should get £4,500 a year, instead of a little over £2,000, as at present. An allowance was made for the capture of slaves, but in that respect no officer, except the commander-in-chief at the Cape of Good Hope, derived the smallest advantage. In three years the commander-in-chief on the West Indian station received accidentally about £600 for the capture of slaves; but the money he was obliged to disburse during the same period considerably exceeded the amount he received from the Crown altogether. He next came to the pay of the captains, which had been gradually reduced since 1816, and he did not know any corresponding class of officers who received less pay. The average pay of a captain in 1816 was £575 a year; it was now, adding command money, £565. There were actually captains who received, as active pay, not more than £365 a year; and he believed that the command money, which had been called a boon, did not average more than £6 10*s.* per annum. That was not so small a matter as it might seem to be, for those officers were compelled to give entertainments at foreign ports, and they did so with their own money, and got into debt. He did not think that military officers were overpaid, but they were certainly in a better position than the officers of the navy. A military officer had to purchase his commission; but his regiment, if he so pleased, was his home until he became a colonel. On the other hand, a naval officer could not serve his time for his flag without spending £3,000 or £4,000 of his own money; when his ship was paid off, he was turned adrift, and he could not turn his attention to some other employment, because he was obliged to hold himself in readiness for active service. When again appointed to a ship, he had to provide an outfit at his own expense, and at last he became an admiral with £456 a year half-pay, whereas a general officer, besides receiving about the same amount of pay, had his chance of a regiment. The case of naval officers was so accurately described in a publication which appeared on the previous day, that he would take the liberty of quoting it to the House—

> "He enters the service at thirteen as naval cadet, becomes a midshipman at fifteen, a sub-lieutenant at nineteen, and a lieutenant at twenty-two. He is now in the receipt of 10*s.* a day full pay, and 4*s.* half-pay. So far there is nothing to complain of; but, unless he has strong interest or unusual luck, he remains a lieutenant ten years, and at thirty-two has not a farthing more full pay than he had at twenty-two. At thirty-two we will say that he is promoted to the rank of commander; he then has to go on shore with the half-pay of 8*s.* 6*d.* a day, and remain idle for three years, when, at the age of thirty-five, he will be offered a command. His full pay is now 16*s.* 6*d.* a day, with 2*s.* 6*d.* a day table money; with this 2*s.* 6*d.* he is supposed to entertain his officers, foreign captains, consuls, &c. At the end of a four years' commission we will presume that our officer has paid his ship off in a creditable manner, and has obtained his post-captain's commission. He is now thirty-nine, and in receipt of 10*s.* 6*d.* a day half-pay and five years to enjoy it; at the age of forty-four he is again offered a ship, and we will say he accepts it (many men cannot, as it would ruin them). Well, he takes command of a corvette, and his full pay is £1 a day, and 5*s.* for table money, and as captain he is frequently put into situations where he must entertain, and very frequently too."

As an illustration he might mention that a friend of his, some years ago, and before the expulsion of the late dynasty from Greece, being in command of a corvette, was called upon to convey to Ancona, the brother of the King. Well, the commander laid out a considerable sum—about £80, in providing delicacies for the Royal personage and his suite. Just as he had got everything ready, down came a message to the effect that the departure would not take place for a week. At the end of the week the ices and other things being spoiled, he had to go through the same preparation again; and when he remitted the account to the then Admiralty through the commanding officer at Athens he was told that he could only be paid for one preparation — namely, £80, instead of £160. That was only an illustration of what was a frequent occurrence.

> "At the end of another four years he pays his ship off, and at forty-eight years of age he once more finds himself in a state of enforced idleness, with 10*s.* 6*d.* a day half-pay. If he is a man of strong interest, he may, at the end of another three years (*ætat* 51), obtain command of a Coastguard ship, with the full pay of £1 5*s.*, and 8*s.* 6*d.* a day for table money. This is considered one of the great prizes of the service, as the captain's family can live on board, and, as a general rule, the captain of one of the home ships is not called on to entertain as much as he is obliged to do abroad. But this pleasant command only lasts a sharp three years, and at fifty-four he is once more on half pay—10*s.* 6*d.* a day, if he is not included within the first 170 captains on the list; 12*s.* 6*d.* a day if his name is included between the 70th and 170th names, and 14*s.* 6*d.* if his name appears within the first 70. Twenty years is the average time an officer is on the captain's list before he obtains his flag, and so our captain at fifty-nine becomes a Rear Admiral with a half-pay of £1 5*s.*; in another seven years he becomes a Vice Admiral (*ætat* 66) and receives £1 12*s.* 6*d.* a day half-pay; another seven years and our naval cadet of sixty years ago has got to the top of the tree, is now a full Admiral, and gets £2 2*s.* a day half-pay—that is to say, that having devoted sixty years of his life to the service of his country he gets £766 10*s.* per annum for his reward."

Pursuing the history of the imaginary officer, to whom he had referred, to the top of his profession, he might by great interest or extraordinary luck become a full admiral at the age of seventy-three. He would then, after sixty years of arduous toil and in all climes, if he was lucky, find himself in the receipt of £766 10*s.* a year; but if they would look at the Navy Estimates which had just been laid on the table, they would find that the solicitor to the Admiralty had just retired after eighteen years' service upon £746 a year. He hoped his legal friends would not suppose that he begrudged them their due, but still it did seem hard that a naval officer who had served in all climes, and incurred all danger, should, with the greatest possible luck (for only twenty-one men out of the whole could obtain it)—should after sixty years of service only obtain £20 a year more than the solicitor to the Admiralty after eighteen years' service. In his *Key to the Civil Service* Mr. Parkinson, himself a civil servant, avowed that though the profession to which he belonged was not so well paid as the law, it contrasted very favourably, at least in its highest ranks, with the army and navy.

Let them next compare the pay of English naval officers with those engaged in foreign services. The lowest full pay of a captain in the English navy was £365 per annum, and the highest £547, to which must be added command money, when in command of a ship, £91, or £155, or £219 per annum, according to the complement of the ship. The only pay of a captain in the American navy was £875, being 140 per cent more than the average pay of that rank in the English navy. In the English navy the lowest half-pay was £191, and the highest £264. The half-pay in the American navy was £625, being an excess of 227 per cent over the average of our navy. In the French navy the highest captain's pay was £833, and the lowest £536. The difference held good through all ranks. The commander in the English navy received, with command money, £346 per annum. The American full sea pay for the same rank was £654. The lowest rate of pay for this rank in the English navy was £301, the lowest in the American navy, £588 10*s*., or 95 per cent more. The half-pay in the American navy was, the highest £468, and the lowest £375. In the English navy the highest was £182, and the lowest £155. In the French navy there was no rank answering to that of commander, and therefore with regard to this rank he could enter into no comparison with the navy of France. The pay of a lieutenant in command in the English navy, including command money, was £219 ; the full sea pay of an American officer of the same rank was, £531 5*s*. ; that of a French officer £355. The highest pay of a lieutenant serving in a ship in our navy was £200 ; the full sea pay of an American officer in the same position was £468. The lowest pay of a lieutenant in the English navy was £182 ; the full pay of an American officer of the same rank was £312. In the English navy the highest rate of half-pay for this class of officers was £155 and the lowest £73 ; in the American navy the highest was £302, and the lowest £250. This comparison showed that the officers of the American navy were paid more than double what the officers of our navy received, and yet the officers of the English navy were supposed to meet the Americans on terms of equality, and he trusted they performed their duties quite as well as they did. When a captain paid off his ship, he not unfrequently found his half-pay was lower than that of his surgeon. The supply of surgeons proved unequal to the demand, and they obtained something like a measure of justice ; but was it right for the Government or for a Naval Administration to suggest to its officers that nothing would be given to justice, but everything to compulsion ? The utter inadequacy of pay in the navy would be seen by another comparison. The junior captain of a regiment at this moment serving in China ranked with a junior lieutenant of the navy ; yet he was receiving £46 a year more than a captain in charge of a naval brigade on that important station. These anomalies could not be in accordance with the wishes of her Majesty's Government, though they were in accordance with the regulations ; they were not in conformity with the Order of Council of 1816, but with the mistaken construction which was put upon it.

One suggestion to which he wished to call attention he was sure would carry with it the assent of the House. It was known that after a lieutenant had served a certain time he had no chance of promotion. His proposal was to give encouragement to men to serve, for he was sure that naval officers would bear him out when he said that one of the great evils at the present time was that they could not lay their hands upon a first lieutenant, upon whom so much depended (being the superior officer next to the captain) to keep the ship in first-class order. Thirty years ago it was known where these officers had been, and where they had received their training ; and if a captain succeeded in securing a lieutenant of ability and experience, the ship was manned in a few days after he had hoisted his pennant, and everything was in brilliant order. Now, men after a certain length of service quitted the navy, or else shirked being first lieutenants as much as possible. The present administration had done all they could to make that position additionally distasteful by taking away the time of officers who went to serve on board the *Excellent*. The proposal he had to make was, that after three years' service the lieutenant should receive a gradual increase of pay up to twenty years' service at the rate of 6*d*. per day. This, he was sure, would be received with the most abundant satisfaction by the officers of this class. At the end of twenty years, after doing his duty well and thoroughly, the officer would be able to retire from the service which had had the benefit of his hearty and effectual co-operation. It seemed to him that it would be desirable to adopt some portion of the suggestion as to the plan always followed in the army of paying the adjutant, who received 7*s.* 6*d.* a day. The proposal was to give the officer who was the adjutant of the ship, the first lieutenant or the gunnery lieutenant, some additional pay for having instructed himself and made himself competent to instruct others in those points by excelling in which they could only have an efficient navy. This he proposed to fix at 3*s.* 6*d.* a day.

There was another point to which he invited attention—namely, with reference to the reduction in the number of officers of the navy. The proposal in the suggestion was that there should be no more cadets introduced into the service than could be absorbed by due and proper promotion. The present system was to admit as many as filled the subordinate offices, without regard to what became of them afterwards. He thought it very unfair to bring in boys of thirteen or fourteen years of age, who at twenty found themselves without any prospects in the service, and had in the mean time been debarred from study or from the means of qualifying themselves for any other profession. The present was peculiarly a time at which a change could be introduced advantageously, for we were about to have a fleet consisting of a few large iron-cased ships and a large number of gunboats. On board small vessels there were no facilities for training younkers, and these would consequently have to be kept on board the larger ships, of which there were only to be a limited number. He gave his noble Friend great credit for stimulating the naval reserve by his speeches, by his writings, and his acts; and in connection with that force, and the officers who had been induced to join it, the House must bear in mind that a great additional element of naval strength had been gained. Not merely would the crews of ships of war be kept by its assistance up to their full strength, not merely would hands be found to man vessels engaged in the transport of troops, but the Government would be able to send all our best and swiftest merchant steamers to sea; and if these could not be opposed to the enemy's iron-clads, at least they would sweep his commerce from the ocean. These lieutenants of the naval reserve really answered to the grade of master and commander which was introduced into the navy a hundred years ago, the officers holding that grade being the captains of hired ships, who did good service in their day, but had been since gradually elbowed out of the navy. It was likewise necessary to improve the condition of the warrant and petty officers, among whom were many good men and true. He maintained that on their part there was no wish to aspire to the higher grades of the service; they looked to offices in the dockyards as the legitimate rewards of their exertions; and if the best men were encouraged to accept these positions, there would be no necessity to introduce so many boys into the navy. One other point he was sorry to have to touch upon—he did not mean to allude to the question of barrack accommodation, but to that of naval colleges. He was astonished, after the recommendations made more than two years ago, that no immediate pains were taken to increase the staff on board the *Britannia* and other training ships, and to give the excellent officers in charge the assistance they so much needed, and thus put a stop to the mischief which existed. It had been stated to him that there had been twenty-seven boys under the age of fifteen laid up at Haslar Hospital under a disease too loathsome to be mentioned. Was this known to the Admiralty, and yet no steps taken to establish a naval college? He was sorry to have had to allude to so painful a subject, but at all events the abominations to which he had referred should cease to exist. [*See page* 818.]

There might be a few boys, who, like the Assyrian youths in the furnace, might pass through a school where such a state of things existed, unscathed, but they must be few. He thought that what he had stated furnished strong reason for establishing a naval college, and that the boys should be kept at a public school or elsewhere until they were old enough to enter into that college. The system now was not the same as it was a few years ago, when the boy was consigned to the captain's care, and the captain looked upon him as a son. He approved of boys not going to sea until they were sixteen. Lord Dundonald was between seventeen and eighteen when he first went to sea, and it did not prevent his becoming one of the most distinguished naval officers. He had endeavoured to lay before the House the reasons why he had accepted the suggestions of these officers, and why he had undertaken to introduce the subject to the notice of the House. He hoped that he had done it prudently and temperately. He had given intimation of his intention to the Admiralty, and to the noble Duke at the head of it. He had shown that it was impossible for naval officers to make their grievances known, and how the circular to which he had referred prevented their taking the course which had been suggested. He had nothing further to add than to move the Resolutions which were placed in the Speaker's hands.

Motion made, and Question proposed,

"That this House will, upon Thursday next, resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, submitting to Her Majesty, That, in the opinion of this House, the position of the Officers of Her Majesty's Naval Service, in respect of promotion and retirement, is not satisfactory, and ought to be amended; with a view to the increased efficiency of the Naval Service, and to meet the just expectations of Officers with respect to promotion, it is desirable to adopt for all ranks the principle of retirement by age; the pay of Naval Officers ought to be so adjusted as to enable them consistently to maintain the rank they hold, and to give them fair remuneration for honourable service."

VISCOUNT **PALMERSTON**: Sir, doing full justice, as I am prepared to do, to the motives of the hon. and gallant Officer who has made this Motion, and convinced as I am that he has been actuated by nothing more than an honourable desire to promote the interests of the service of which he is a distinguished ornament, yet I cannot refrain from dissenting from the course which out of the House, and now in the House, the hon. and gallant Officer has thought fit to pursue. If there is one principle with regard to military and naval bodies which ought more than any other to be borne in mind, it is that military and naval bodies ought not to become deliberative assemblies, with the view especially of enforcing on the Government what they conceive will be changes for their own benefit and advantage. It would be a most dangerous precedent if it were admitted that the navy of the country, or the army of the country, are to meet together and to appoint committees, which committees are to correspond with every member of the profession with a view to inciting them to state grievances which they feel, or to feel grievances of which, perhaps, they were not hitherto aware. Such proceedings must tend to shake the foundation of military and naval discipline, and are most dangerous in their possible consequences. I have too high an opinion of the naval officers of this country to entertain any apprehension as to the result of the labours of the self-constituted committee of which the hon. and gallant Officer has this evening been the mouthpiece. But I say the principle on which they have acted is a wrong and dangerous principle, and, I trust, will not be deemed a precedent for future proceedings. For I say that when you ask members of a profession, individually or collectively, whether they would not like a little more pay or earlier promotion, whether they do not think that other people in some other profession are better off than themselves, and whether they will not feel obliged to any man who will stand forward as their champion with a view to obtain advantages of some sort or another—I say if you know human nature, you can readily surmise what the answer to such an invitation will be. The hon. and gallant Officer has stated in a very impressive manner, that which I have no doubt in many cases is perfectly true, that hardships are felt by members of the naval profession from the inadequacy of their pay to the demands made upon them and the slowness of promotion. But is the navy the only service in which you can find those complaints, and often well-founded complaints? Are there no such complaints in the Church? Are there no complaints in the law? Are there no complaints in the civil service? In every one of these great national professions will you not find men of merit and talent, who justly feel their advancement is not equal to their pretensions and qualities, and that the remuneration which they receive is not nearly sufficient to furnish them with all the means to maintain the position in society which they feel they deserve? But we are obliged to look in this House at these things on a great scale, and cannot deal with one profession singly and by itself. If you begin to increase the pay and advantages of one profession, you will be called on to do the same with others. You cannot improve the condition of the officers without feeling that something must be done for the men in the navy. You cannot increase the advantages of the navy without doing something for the army. You would be led, in this way, to an enormous increase of national expenditure; and when the Government came down with the Estimates founded on what the hon. and gallant Officer would call "an improved principle," a cry would be raised in the House and the country that it was an undue increase of expenditure, and a proportionate increase of taxation. Therefore, I say that the hon. and gallant Officer, very naturally looking to his own profession, has not sufficiently attended to the bearings of the question on the general administration and resources of the country. But if I think, with all deference, that the course pursued by this self-constituted committee of officers is not altogether consistent with a due regard to the discipline of the naval service, I must be permitted to say that the course which the hon. and gallant Officer has taken in proposing these resolutions is not altogether consistent with a proper regard for the legitimate functions of this House of Parliament. It is impossible to pretend to prescribe the proper and precise limits for the action of this House. I know full well that there is no part of the administration of this mighty empire, with all the organization of this mighty empire, which this House is not entitled to take into consideration, and upon consideration to propound opinions and advice. But in a mixed and balanced constitution like ours each branch ought well and duly to consider with great discretion and forbearance how it will exercise its functions in a particular case.

The hon. and gallant Officer has proposed three Resolutions. The first bears on the system of promotion and retirement in the navy; the second on the extension of a system of compulsory retirement at certain stages of life; and the third calls on the House to affirm that the pay and allowances of the navy ought to be such as to enable the officers to maintain a due position in the service. Now, it seems to me that it is a dangerous course for this House to assume to itself administrative functions. Anybody who knows anything of administration must know that a multitude of administrations for any one particular purpose cause confusion. But that an assembly of 650 Gentlemen should be able to administer the details of any public department is, I think, a proposition which it is only necessary to state in order to see the impossibility of its application. At the same time, I admit that there may be instances in which it might be fitting, in the opinion of the House, to address Her Majesty's Government, with a view to some particular purpose which the House may think it expedient to accomplish. But in that case, this House ought to be precise and intelligible in its recommendations and advice. The Resolution ought to be one which the executive Government of the day might know how to carry out if it thought fit to adopt it, or which it might understand fully and in detail, in order, if it did not choose to be responsible for it, that it might be able to take such steps as the circumstances might dictate. But the Resolutions of the hon. and gallant Officer, if adopted to-night, would leave the Government entirely at sea as to the particular mode of acting upon them. They call upon us to say that the present system of promotion and retirement is unsatisfactory. Well, then, what is satisfactory? What would the Government have to propose to the House with the view of meeting the objection that the present system is unsatisfactory? Probably the hon. and gallant Member would answer, "You will find that in my speech or my memorandum." [Sir JOHN HAY: Hear, hear!] But his speech and his memorandum are no part of the decisions of this House of Parliament; they do not appear in our journals; they are not matters to which the Government could appeal and say, in the name of the Sovereign, "We have done that which the House of Commons asked," because the House of Commons would not have asked anything definite, precise or intelligible, which the Government would know to be the object and purpose of the Resolution. The same remark holds good as to the second Resolution about retirement by age. There is already, to a certain degree, a practical application of that principle. The hon. and gallant Gentleman wishes the principle to be extended, but he does not say to what limit, in what way, or, in short, give any clue to enable the Admiralty to know that by doing any particular thing in that respect they will have accomplished the wishes of the House. I say, then, that these Resolutions are so vague and indefinite in their terms, that if they were affirmed by the House, the Government, with the utmost desire to meet the intentions which the House might be supposed to have expressed, would remain perfectly in the dark as to the mode in which effect should be given to them.

I will not go into the details of that which the Admiralty have already done upon these matters. My noble and gallant Friend the Secretary to the Board will, I have no doubt, explain fully to the House all that the Department has done, and in what degree the opinions and assertions of the hon. and gallant Officer, in regard to the many points of detail on which he has entered, are well or ill-founded. But as to the last Resolution, which bears upon pay, I humbly submit that that is not a proposition which this House would, if well advised, think it proper to adopt. It does not even say that the pay ought to be increased; but there are words inserted in the concluding paragraph by which the House would pledge itself to make good the expense of any of these different propositions. Well, I hold out that it is not expedient for this House to address the Crown gravely to make an increase in any Department of the public expenditure. It is for the executive Government, upon its responsibility, if it should see fit so to do, to propose to Parliament such additions to that expenditure as they may deem necessary for the public service, and it is for this House to adopt or reject them as it pleases. But I think the House will agree with me that it is not advisable to address the Crown in these vague expressions, calling upon it indirectly to make a great increase in our naval expenditure—an increase which must be followed by further augmentations of charge in that very same Department, and which, if carried into effect with regard to the navy, could not be stopped there, but must be extended to the army, and even to the Civil Service also. The hon. and gallant Officer dwelt very much upon a comparison of the emoluments of certain ranks in the navy with those of the army and other public departments. Now, as to a comparison with the army, it must be borne in mind that the commissions in that service are purchased, and that the officers embark a considerable capital to rise to any high rank, whereas in the navy the same practice does not obtain. But, in both the army and the navy, if you merely took the incomes given to men even in high rank as professional pay, why, no doubt, every man would wish that they were a great deal more. But the remuneration to these services does not consist simply in annual emoluments. There is the respect which is paid to them in their several positions—there is the admiration which the nation feels for the service of which they are members. And it is not a vain assertion to say that honours and respect are not an insignificant element in a requital for public services, because our whole system is founded upon a contrary assumption. We reward men by titles and by decorations; and, when we come to the highest rewards, you, Sir, reward the most distinguished commanders not by pecuniary emoluments, but by conveying to them from that Chair the thanks of this House of Parliament for the services they have rendered to the country. The highest recompense awarded to public men consists of honours showing that they have entitled themselves to the respect and regard of their fellow-countrymen. That, therefore, must be borne in mind when you consider what naval and military officers receive in return for the personal exposure they undergo and the deeds they achieve in performing their duty to their Sovereign. If, then, I cannot concur in the Motion of the hon. and gallant Officer, I feel it incumbent on me to pursue on this occasion precisely the same course as I pursued two years ago with regard to the Resolution moved by the hon. and gallant Officer who sits next to him (Sir J. Elphinstone). The hon. and gallant Officer who made the present Motion has referred to what then took place. On that occasion, Resolutions had been carried which involved not only the question of promotion and retirement, but the question of pay. The House, on being appealed to on a subsequent day, rescinded those Resolutions, and consented to refer to a Committee then sitting on Admiralty organization the question of retirement and promotion. It so happened that that Committee consumed the entire Session in taking evidence, and did not make any Report. The hon. and gallant Officer says they did that which was most damaging to the Admiralty; they reported the evidence they had taken. I might, perhaps, be allowed to interpret their course upon a different principle. The Committee was not appointed in any friendly spirit to the Admiralty. Their examinations were not conducted with the view of heaping honour and credit upon the Admiralty. But when they came to the end of their inquiries, and the Session was over, they prudently abstained from putting into a Report the result of the evidence they had taken. I believe, if they had done so, the Report would have been favourable to the conduct and the organization of the Department they inquired into. At all events, let me ask, why did they not move to re-appoint the Committee in the ensuing Session? If they had thought the result of the evidence they had taken was so damaging to the Admiralty as the hon. and gallant Officer says, I should have imagined that pure patriotism, if no other motive, would have led them, for the sake of the public service, to re-establish that Committee the following year, with the view of bringing to a condemnatory conclusion the evidence which he thus characterizes. But no such thing. Last year was allowed to pass away without any re-establishment of that Committee. If it had been so re-established, it would have gone into those questions connected with retirement and promotion which it was specially instructed to investigate, and which it was not able to do in 1861 because the time did not permit of it. Well, Sir, I now propose to do precisely what I did then. As the hon. and gallant Officer has brought this question again before the House, if the House thinks it fit that an inquiry should be made into the existing system of promotion and retirement, Her Majesty's Government have no objection whatever to that investigation being made. And I would propose that a Committee should be appointed for the specific purpose of going now into that inquiry which the Committee of 1861 could not enter upon. I therefore propose as an Amendment to the Resolutions of the hon. and gallant Officer those of which I have given notice—that in the first place it is not expedient for the House to pronounce an opinion on a question of promotion and retirement, which has been committed to the investigation of a Committee until we shall have received the Report of a Committee on this question, and that a Committee be re-appointed for the purpose of entering on that investigation.

Amendment proposed,

To leave out from the first word "House" to the end of the Question, in order to add the words "having on the 13th day of March 1861 instructed a Select Committee to consider the present system of Promotion and Retirement in the Royal Navy, is of opinion that its decision should be suspended until the subject shall have been accordingly considered and reported upon; and that a Select Committee be appointed to consider the present system of Promotion and Retirement in the Royal Navy, and to report their opinion thereon to this House,"

—instead thereof.

SIR JAMES ELPHINSTONE said, the speech of the noble Lord at the head of Her Majesty's Government very much resembled the month about to commence—it came in like a lion, but went out like a lamb. He (Sir James Elphinstone) did not belong to the naval service of the country, and therefore he hoped that the animadversions which the noble Viscount had been pleased to make upon the speech of his hon. and gallant Friend would not apply to him. He trusted that he might stand up to state freely and boldly, and as an independent Member of the House, that in his opinion the grievances and wrongs of the officers of Her Majesty's naval service cried aloud for inquiry and redress. Two years before he had obtained a Committee upon this question. And how did the Government meet him? Because there happened to be introduced into the Resolution one word which was considered by the forms of the House to be improper the Committee was tacked on to another inquiry, which was never intended to produce any useful result. He quite agreed with his hon. and gallant Friend that the evidence which was reported to the House by that Committee left a slur on the Board of Admiralty. And he could not understand any Government sitting under it. Had the Government done their duty when his hon. and gallant Friend (Admiral Duncombe) declined to move the appointment of the Committee, the Government would have put up a naval Member on the Treasury bench to move its re-appointment. There were four or five ex-First Lords on that Committee, and official members fully sufficient to bear up the noble Lord's views, and when they made their Report to whitewash all the previous performances of the Board of Admiralty. The noble Viscount stated that there were grievances in the Church, in the Law, and in the Civil Service; and if the Resolutions of his hon. and gallant Friend should have the effect of removing the grievances of the officers of the naval service, then every other service in the country would start up with its peculiar grievance. The Church, no doubt, had many of its members labouring in a good cause upon very inferior incomes. But two blacks could never make a white. Why should not their incomes be raised to a more just and equitable standard?

There were, however, positions of preferment in the Church far beyond what any naval officer could hope for, and the average remuneration in the Church of England was considerably above that in the naval service. With regard to the law, he thought its representatives were fully competent to speak for themselves. There did not, however, appear to be anything in that House to show that that profession was in a very bad state. With respect to the Civil Service, its representatives, feeling themselves aggrieved, had already done what the navy was doing. They had brought their grievances before that House, and had obtained some redress for the wrongs of which they complained. The address moved for by his hon. and gallant Friend was not one intended to be made to that House, but to be laid at the foot of the Throne. He admitted that the highest reward that a subject could possibly receive was to come into that House and receive its thanks. But he asked whether the thanks of that House were ever awarded to a subject without being accompanied with more substantial marks of the approbation of the Crown? He had already alluded to the constitution of the Committee; nevertheless, if the House should desire its re-appointment, he would advise his hon. and gallant Friend to accept the proposal of the noble Lord. He hoped, however, that the noble Viscount would take care to have the proposed Committee framed upon a fairer basis than the Committee to which they had referred. The country could have no confidence in such a Committee. The preponderance of the official element in it was damaging to its utility. The whole of the first year was taken up in wading through official theories instead of coming to the practical evidence, which alone was of any value. It was the invariable practice of the Admiralty to allow those grievances to go on as long as they were quietly borne by the parties complaining. It was therefore absolutely necessary for the navy itself to take the initiative in the matter, in order to ensure a due consideration to their grievances. In 1816 the status of the officers of the navy was taken into consideration, and they were then placed upon a footing which he did not think did them justice. He would go back a little earlier, for the purpose of reading the copy of a letter, written in 1802, by Lord Nelson, with regard to the position of the navy at that time—

"Merton, Oct. 20, 1802.

"Sir,—Your idea is most just and proper, that a provision should be made for midshipmen who have served a certain time, with good characters, and certainly £20 is a very small allowance; but how will your surprise be increased when I tell you that their full pay, when watching, fighting, and bleeding for their country at sea is not equal to that sum? An admiral's half-pay is scarcely equal, including the run of a kitchen, to that of a French cook; a captain's but a little more than a valet's; and a lieutenant's not equal to a London footman's. But as I am a seaman, and faring with them, I can say nothing, I will only apply some very old lines, wrote at the end of some former war—

"'Our God and sailor we alike adore
In time of danger, not before;
The danger past, both are alike requited:
God is forgotten and the sailor slighted.'"

A word more to illustrate the feeling of the service in regard to the existing system. The noble Lord, from the tenor of his remarks, insinuated that his hon. and gallant Friend had referred to grievances which were not really in existence. A letter from an officer appeared in one of the morning papers of the previous day, which contained the following extract:—

"On Tuesday evening the subject will be brought before the House of Commons. Each word then uttered will be anxiously weighed and discussed in every ward-room and gun-room mess in the service. All other matters are dwarfed in interest when compared with this, for on its result depend the issues of renewed hope and the strength that springs of it, or a return to the sickening anxiety of hope deferred and straitened means. We do not ask, sir, for wealth, for such would be to us the incomes obtained by our brothers and schoolfellows who have pursued home-staying occupations. We only ask that our pay may be increased to the modest competence that will make us free from the necessity of incurring debts we have no power of repaying."

Now, one word as to the financial state of the question. They were told that this was a most serious matter to bring before the House, although it involved a demand for only a trifling sum in order to raise the rate of compensation to the most valuable officers in Her Majesty's service to a more equitable standard than existed at present. It should never be forgotten that those officers in time of war occupied the first line of defence, and to them the country looked chiefly for protection. But had there been any economy practised in the material of the navy? Had they not rushed into extravagance the most unprecedented? They had wasted millions by the grossest mismanagement. With what consistency, then, could the Government refuse this claim, involving but a small sum, with such facts before them?

Again, the parallel between officers in the army and navy had not been fairly stated, as officers in the engineers, the artillery and the line were all eligible to staff appointment. But taking the purchase portion of the service, he could testify that it would be cheaper to purchase a captain's commission in a marching regiment than to pay a young naval officer's expenses in bringing him up to a lieutenant's commission. In conclusion, he was convinced, if the question of naval economy were fairly examined, it would be found that naval officers might, with public advantage, be placed on the same footing in regard to remuneration as officers in other services, and at the same time an enormous saving might be effected in the expenditure of the navy.

Admiral DUNCOMBE said, as he had two years before made a Motion for a Committee which was unanimously agreed to, he thought it only due to the House to give some explanations regarding it, and in connection with the Amendment moved by the noble Lord. The noble Lord had assumed rather too much in saying that the reason why the Committee made no Report was because the evidence given was so favourable to the constitution of the Board of Admiralty that they thought silence the best course to pursue. Now, the fact was, from the way in which the Committee had been nominated, it was predicted that it would necessarily be a complete failure. At the suggestion of the noble Lord the House consented to put on the Committee all the ex-First Lords in the House; two others were examined before it, and in addition the official element was largely represented. The person moving for a Committee was generally allowed to have a preponderance of persons on it who were supposed favourable to his views; but when the noble Lord added a new subject of investigation he also added to the Committee four new Members, three of whom were chosen from his side of the House, and thus he gave a preponderance to his own party. Now, he (Admiral Duncombe) said originally, and he was still of the same opinion, that the question ought to have no political complexion, but if there was a preponderance at all in Committee, it ought to be on that (the Opposition) side of the House. Nevertheless, they were all aware that there always was more or less of political bias. When the proceedings commenced, he felt himself placed in the position of public prosecutor of the Board of Admiralty. That was a position he did not desire to occupy. From the moment the Committee sat he did his best to furnish evidence from day to day, and to elicit from the various officers connected with the Admiralty and navy the best testimony on the subject; but not then having the weight of Chairman he felt that was a disagreeable duty to perform, and therefore he declined to undertake it in a second Session. They sat until the end of the Session, took a quantity of evidence, but had no time to make a Report. The evidence alone was reported to the House, in order that they might deal with it as they pleased. At the commencement of last Session a question was asked of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) whether he intended to move the re-appointment of the Committee. That right hon. Gentleman answered in the negative. He (Admiral Duncombe) was subsequently asked a similar question, when he gave a decided negative also. The noble Lord was not, therefore, justified in saying that the whole of the evidence given was in favour of the Admiralty.

Sir ROBERT CLIFTON said, the noble Lord seemed to think that a naval officer who had distinguished himself would be sufficiently rewarded by receiving the thanks of that House. That, no doubt, was a very great honour; but if a commander had distinguished himself abroad upon £346 15*s.* a year, the thanks of that House would not supply him with means of entertaining distinguished foreigners, or providing for his own outfit. He was sure the noble Lord would not wish to preclude any English officer from exercising hospitality on a foreign station. Many officers, however, were obliged to decline appointments owing to their inability to meet the expenses of the posts offered them. He considered that any question taken up by so experienced an Officer as the hon. and gallant Member for Wakefield (Sir John Hay) was deserving of the greatest attention; and if that gallant Officer should resolve upon dividing the House upon this question, he (Sir Robert Clifton) would certainly go into the same lobby with him. He would vote for the Resolutions because he felt that they had expended extravagant sums on fortifications which were useless, and some of which, he believed, would never be completed. He thought that after such expenditure and such waste of money upon ships that were afterwards declared to be useless, it was high time to consider the *personnel* of the navy.

MR. BAILLIE COCHRANE said, he did not think the navy would be more contented in consequence of the speech of the noble Lord at the head of the Government. The noble Lord spoke as if a statement of grievances in the navy were a new thing—as if the conduct of the officers had been prompted by something like a seditious feeling. But the noble Lord ought to be well aware how often the question had been brought before the House. He (Mr. B. Cochrane) did not understand the principle laid down by the noble Lord. Were they to understand that no questions whatever relating to the pay of naval officers, of officers in the Civil Service, or of the diplomatic body, were to be brought forward in that House; or that officers meeting together to discuss what they regarded as grievances were guilty of a dereliction of duty? He could not imagine this. Nor could he imagine that the noble Lord intended to convey that impression, although the words he had used would bear such an interpretation. But when the noble Lord talked of the high honour and distinction which attached to an officer in Her Majesty's service, surely he could not mean to contend that that distinction, whatever might be its value, would enable a lieutenant on half-pay to feed his family on £73 a year, or compensate him for the discomforts to which he was subjected. While concurring generally, he might add, in the views to which his hon. and gallant Friend the Member for Wakefield had given expression, there were some parts of his scheme from which he felt bound to differ. If, for instance, officers entered the service on certain conditions, with the belief that they could rise to a certain rank, and if they asked for an opportunity of serving afloat, which was denied, then it was a hard thing to say to them, "You have not served afloat so many years; you must, therefore, be put on the retired list." Again, he could not see why an officer simply because he happened to be over seventy, was to be shelved. There were men of great energy, and of grand intellects, who had passed that age. Marshal Radetsky, for example, had been in actual service at the age of eighty-six, while Lord Howe and Lord Duncan had, when above their seventieth year, shown, in the battle of the 1st of June and Camperdown, themselves capable of conferring great benefits upon the country. It would, then, he thought, be somewhat harsh to such officers to put them in a false and undignified position merely because they happened to have passed a certain time of life. He might also observe that there were, in his opinion, many officers who did not desire to be made Admirals of the Fleet, as his hon. and gallant Friend proposed, though they might in some respects be benefited by the step. His hon. and gallant Friend was, however, he thought, eminently entitled to the thanks of the service for his scheme, which was, on the whole, carried out most elaborately, and with a kindness of feeling which was deserving of all praise. A comparison, he might add, had been drawn between the rate of pay in the French, Austrian, and American services, and that in our own, and he could not help remarking that it appeared to him somewhat extraordinary that the discrepancy between the two rates should, in many instances, be so great as that a captain in the American service should receive £500 a year more than officers of the same rank in the English service, and that an assistant surgeon in the American service should receive a much higher sum than the highest full pay of an English lieutenant. Those were monstrous anomalies. But he did not need to go to foreign countries for examples of similar anomalies. A clerk at Somerset House began with a salary of £90 a year, and the salary was annually increased by £5 or £10. Another class began at £300, and had an increase of £20 per annum, until their salaries reached £500; while there was another class which entered the public service at £500, and whose salaries went on increasing until they reached £650—a favourable contrast to the state of things in the navy. To show how this state of things operated, he would appeal to his noble Friend the Secretary for the Admiralty, who he was sure had the interest of the service at heart, however much he might be trammelled by the system under which he had to work, to say whether it was not the fact that several officers had refused ships because they could not afford to take them, so great was the necessary expense of a command? Then was it not monstrous to shelve men who were aid in so miserable a manner that they could not accept a ship if offered to them.

Again, naval officers when on half-pay were not allowed to enter on other occupations, but must hold themselves in readiness to serve, or have their names erased from the *Navy List*—a statement the truth of which was illustrated by the case of a Lieutenant Engledue, who had accepted an appointment in the Peninsular and Oriental Company's service, and whose name was struck out of the *Navy List*, because when offered a commission he could not afford to give up his situation. He might further observe, with respect to the question of prize money, that we had the opinion of Lord Dundonald, to the effect that it was impossible to say how much we were indebted to the stimulus which it afforded the navy. That most unfortunate of all declarations, however, the Declaration of Paris, had done away almost entirely with that stimulus; and to show of how much value it was at the present day, he might mention that in a notice issued a short time ago at Somerset House for the distribution of prize money in the case of the capture of a Chinese junk, he found that while the occurrence had taken place in 1857, the distribution of prize money was not to be made until the present month, and that then the share of the commanding officer was only £4 7*s.*; that of the second in command only £3 4*s.*; the share of some of the men being as low as 2*s.* 3*d.* per head. Now, while he took the view which he was advocating of the way in which the naval service was treated, he was by no means disposed to find fault with the advantages which the army received. He might, however, observe that colonial governorships were given rather to members of the latter service than to naval men, and that the pension of £3,000 a year given to the family of our greatest Admiral—Lord Nelson—died with the present Lord. Comparing also the list of promotions on the occasion of the majority of the Prince of Wales, he found, that while twenty-eight of these promotions took place in the army, there had been only four or five in the navy. It might be said, that notwithstanding these drawbacks, there was no lack of men possessing the energy and spirit requisite for the naval service. No doubt, and if the miserable pittances given to officers were reduced by one-half, the spirit and rising energy of the country was so great that people would always be found ready to come forward in defence of the country. That, however, was, in his opinion, no good reason why the smallest sum possible should be paid for their services; nor did he think such a principle was one on which any Government ought to proceed. Again, it was urged they knew what the rule was before they entered the service. True; but had not everything been doubled in price? Whilst the customs duties were relaxed, was there not income tax, and was it not the fact that the expenses of living were double or treble what they were several years ago? He must venture to express his dissent from the noble Lord's views, and he considered that the hon. and gallant Officer deserved well of that House and the country for having brought forward this question so ably, and he trusted that the noble Lord, who had given way to a certain extent, would give way still further, and in time adopt the views of his hon. and gallant Friend.

MR. FERRAND said, that as he had the honour of representing one of the largest of our naval boroughs, he hoped that he might be permitted to make a few remarks on the subject before the House. A large number of his constituents took a deep interest in the question, and he was anxious to address the House on several points which it embraced; but the subject had been so nearly exhausted that it would be necessary for him to offer only a very few observations. He had listened to the speech of the noble Lord at the head of the Government with great pleasure, and also, he must add, with some astonishment. As had been well remarked by the hon. Gentleman who last addressed the House, what course were the officers of the navy to take when they wanted redress for a refusal of justice if they were not, either by petition or by their friends, to come before the House? He had spent about a fortnight in the borough of Devonport, and never was more astonished than to see the cowed spirit of the navy, the cowed spirit of the dockyard men, under a dread of the tyranny of the Admiralty. He had also received several letters from naval officers there, urging him to take part in the debate, but at the same time entreating and imploring him not to mention the names, for fear of the certain ruin which they stated would await them at the hands of the Admiralty. Was this a fit state of things to find in the borough of Devonport? The noble Lord had said that the officers ought to conduct themselves with discretion and forbearance. They had done so. They had applied to the Lords Commissioners of the Admiralty for redress; but they had applied in vain. He held in his hand a letter addressed by one of the Secretaries to the Admiralty to a large body of officers after they had fully, distinctly, and explicitly laid their claims before the Board. They had previously received a reply to a former application, that their claims could not be admitted. They had applied again to the Admiralty, entering, as he had said, fully, distinctly, and explicitly into their claims; and what was the course taken by the Lords of the Admiralty? Did they attempt to show those officers that their claims were unjust, and that they had no right to prefer them? No. A letter came from the Admiralty, signed W. G. Romaine—

> "I am commanded by the Lords Commissioners of the Admiralty to acknowledge the receipt of a memorial signed by you on behalf of the captains on the reserved half-pay list containing a request for increased half-pay; and I have to inform you in reply that their Lordships can only refer you to their former letter on the subject."

It was not till the officers received that curt and offensive reply from the Board that they ventured to come before that House; and he would ask the noble Lord to whom they were to appeal after that answer if not to the House of Commons. There was a sympathy within the walls of that House towards the naval service which had compelled the noble Lord at the head of the Government to come down and consent to the appointment of a Committee. The noble Lord would not have done that had he not feared that he would be in a minority if he had not conceded so much. But was it assented to for the purpose of burking the question? Or did the noble Lord intend, when the Committee was appointed, that there should be a just, and fair, and impartial inquiry? If such were his intention, he believed that the Committee—he believed that no Committee honestly appointed could do otherwise—would support the views of his hon. and gallant Friend who had introduced the Motion. But if the noble Lord pursued the same course towards the proposed Committee with that he pursued towards a Committee previously appointed on the Motion of the hon. and gallant Member for the East Riding (Admiral Duncombe), he might depend upon this that he would be trifling with the spirit of the naval officers of the country and he would bitterly repent the day when he refused, by a side wind, to grant them that to which they believed they had a just claim. He could view the naval service in no other light than a lottery, in which there were many blanks and only a few prizes; and he was not surprised to hear the naval officers at Devonport protest against the manner in which a few high influential Whig families contrived to monopolize the great prizes in the navy. The noble Lord had alluded to the high honour which a naval officer obtained in receiving a vote of thanks from that House. But why were the principal prizes of the navy monopolized by men who had no right to them compared to many of the naval officers whose services had never been properly requited? If a Conservative Government had jobbed the high places in the naval service, either at the Admiralty or in the Dockyards, in the manner the present Government had done, they would have had a loud outburst of indignation from hon. Gentlemen on the other side, if then in opposition. He had said, he believed, quite sufficient on this question to show to the noble Lord that the officers had not received fair play when they made their appeal to the Board of Admiralty. He had been told by even dockyard men, that if they made a complaint to the Board of Admiralty, so sure as they made it so sure were they made to rue the day by being deprived of their employment. If that state of things was to continue, either in or out of the dockyards, in the naval service, the Government would repent it, for the dockyard men themselves, who were a highly independent body of workmen, had their spirit roused to such an extent by intimidation, by oppression—not by the Conservative party, but by the Whig party—that if ever a day should come when it was highly necessary that those men should be true and loyal to their country, they might remind the Government how they had been treated previously to the time of peril; and the Government might then find the dockyard men actuated by the same spirit as the men in private yards were a few years ago, and that they would show their spirit of independence in a manner most injurious to the country.

MR. R. W. DUFF (Banff) said, he thought that while the Admiralty were profuse in their expenditure on vessels constructed on obsolete models, &c., they were most illiberal in their dealings with the officers of the navy. When the Lords of the Admiralty refused to receive salaries for their services, and said they were quite content with the honour, he should be able to understand the objection to pay the officers in the navy proper remuneration. The present scheme of promotion and retirement was admitted to be so unsatisfactory that the late First Lord of the Admiralty declared, before the Royal Commission, he would rather overrule the opinions of the whole Board than continue to administer under the existing system. He felt so strongly that, although a general supporter of the Government, if the hon. and gallant Officer divided the House, he should vote with him.

CAPTAIN TALBOT said, it was well known that the great majority of the Committee to which allusion had been made consisted of First Lords of the Admiralty, and most of the witnesses examined before it were of the same description. Several of the Members who were appointed to serve upon the Committee were so disgusted with the course of its proceedings that they retired from it; and when the noble Lord proposed the appointment of another Committee upon the subject, those who were deeply interested in the question could not help suspecting that the Government, unable to refute the arguments so ably brought forward by the hon. and gallant Officer, were about to repeat the same farce. The arguments of the noble Lord against the Motion had been based in a great measure upon the assumption that the conduct of Her Majesty's navy was mutinous and unpatriotic; but as a naval officer himself, he could assure the House that his fellow officers were sincerely desirous to promote the efficiency of the service, and had in many instances assented to suggestions and advocated measures which were antagonistic to their own interests. The junior officers, for instance, gave it as their opinion that they ought to serve longer than they had hitherto done in the lower position which they occupied, and that was one of the proposals on which the projected alteration in the system was founded. On the part of the naval officers, therefore, he must repudiate the accusation that they were actuated by any other than patriotic motives in the course they had taken. Then it was said by the noble Lord, that if they acceded to the demands of the officers of the navy on the present occasion, they would have the officers of the army coming forward with similar applications. But though it was proposed by the Order in Council of 1816 to equalize as far as possible the pay of the two branches of the service, the pay of the navy was at the present moment very much inferior to that of the army. It should be remembered, too, that at the present day naval officers became entitled to little or no prize money, and that when by some rare accident they obtained such a right, many years usually elapsed before it was practically recognised. The officers of the navy merely wished for a proper system of promotion and retirement, and the object of the present proposition was to carry out what had already been partially carried out by the Admiralty—that was to say, compulsory retirement at a certain age, when officers were no longer fit for active service. But if this principle were good at all, it should surely be carried through all branches of the service. It was proposed by his hon. and gallant Friend that there should be a smaller number of officers, and in that way the service would be much more efficient, for it was well known that in the present state of affairs the list was overcrowded with officers who were useless because they could not get employment. There were something like five hundred commanders on the list, and out of that number only about half were employed. He had risen, however, principally for the purpose of protesting against that accusation of selfish and unpatriotic motives which the noble Lord had brought against the service to which he had the honour to belong; and, in conclusion, he had only, as a member of the profession, to express his gratitude to the hon. and gallant Member for Wakefield for the able manner in which he had introduced the subject, while he was sure the House would be grateful to him for having placed so clearly and concisely before them a matter upon which they were proverbially ignorant.

MR. BENTINCK said, he should not have troubled the House upon that occasion had it not been for what had fallen from the noble Lord at the head of the Government with respect to the former Committee on the Admiralty, whose labours had created so much discussion. He was sure that the noble Lord, in submitting any statement to the House, meant that it should be strictly correct; and he therefore felt much surprised at the declaration made by the noble Lord upon that subject, which was completely at variance with the facts of the case. The noble Lord had told them that the Committee had been fairly constituted, and that the weight of evidence was of such a nature, that if the Committee had made a Report, that Report must have been favourable to the constitution of the Board of Admiralty. Now, he (Mr. Bentinck) had been a Member of the Committee, and he could state how the facts really stood. When the Motion for the Committee was first made in the House, he had ventured to take exception to its composition. He had pointed out to the House that it was impossible a Committee so constituted should ever arrive at any practical conclusion, or that they should ever produce a Report which would have the slightest weight with the House or the country. The ground on which he had objected to the Motion was, that the greater number of the members on the Committee either were at that time serving or had previously served the Admiralty in an official capacity. He had, therefore, moved the rejection of all those members on the list who were liable to that objection, but he had been overruled by the House upon that point. He had then expressed his opinion that the labours of the Committee must end in a mere waste of time, and must, in fact, become nothing better than a farce. He believed that that prediction had been literally fulfilled. He had attended the Committee for about four months, and he had found that the whole of its business had been to listen day after day and week after week to the self-laudatory speeches of distinguished members and ex-members of the Board of Admiralty, who, when called upon to give evidence, had taken the opportunity of explaining how admirably they had managed the business of the Department. What was the consequence? The consequence was, that the Committee had done so little to investigate the subject that had been referred to their consideration, that at the close of the Session they found they were not in a condition to make a Report to the House, and at the commencement of the next Session his right hon. Friend the Member for Oxfordshire (Mr. Henley), when asked whether, as Chairman of the Committee, he would move its re-appointment, declined to undertake that duty, while his hon. and gallant Friend the Member for East Riding (Admiral Duncombe), on whose Motion the Committee had originally been constituted, also stated that he was not prepared to take such a step. He believed, that if a Committee was ever to be of any use, it should consist of men who were not judges in their own case, and that a Committee appointed to inquire into the constitution of the Board of Admiralty ought not, therefore, to be composed of Admiralty officials. One word in reference to the Motion of his hon. and galland Friend the Member for Wakefield, who, in his able speech, had completely exhausted the arguments on his side of the question. He agreed with a great portion of that speech, and he believed that as an abstract proposition there was great hardship in the way in which naval officers were paid; but he was at the same time bound to admit that there was considerable force in the statement of the noble Lord at the head of the Government with respect to the inconvenience of dealing with subjects of that description in the manner proposed by his hon. and gallant Friend. There was another point to which they should direct their attention. They should not forget that there were other interests represented in that House besides the navy. If the House were at once to pledge itself to give effect to the views of his hon. and gallant Friend, that would imply that it should either impose new taxes or to retain taxes from which the country was in hopes of being relieved. As the representative of a numerous constituency, who had many claims to obtain remission of taxation, he should not feel himself justified in being instrumental in raising a barrier which would prevent the accomplishment of that object by voting at once for the abstract proposition of his hon. and gallant Friend. He would therefore suggest to his hon. and gallant Friend, that as the noble Lord had admitted by his Amendment that a grievance did exist, his hon. and gallant Friend should accept the proposal of the noble Lord, and allow the matter to be referred to a Committee. But he hoped, that if his hon. and gallant Friend were prepared to pursue that course, he would insist that the Committee to be appointed should be differently composed from the Committee to which he (Mr. Bentinck) had alluded, and that it should consist of men who were not from their position under the influence of a strong bias, but of men in whom the House and the country could place perfect confidence.

LORD CLARENCE PAGET: Sir, the question before the House is one of the most diffiult with which we can possibly have to deal. There have been from time to time points in the administration of the Admiralty which have required rectification, and I am not prepared to say that now, or at any future period, there may not be some class of officers who have a fair right to claim more advantages than they now possess. I have listened very carefully to this debate, and although I have not heard many proposals that could be carried out, I have been gratified, as a naval man, to perceive the intense interest which is taken in this noble service. The Resolutions of my hon. and gallant Friend the Member for Wakefield are mild enough in themselves, but they are backed by a scheme which is about the most impracticable and injurious for the navy that ever was propounded. Bear in mind that there are two things which are essentially necessary to maintain the navy in efficiency. First of all, you must have a sufficient number of officers of all ranks to enable you, in the event of war, suddenly to expand your force. Secondly, as the service is one which requires men of pre-eminent activity of mind and body, it is necessary to have a constant flow of promotion. If the House will keep these two points in view, they will soon see what an impracticable scheme has been put before them by my hon. and gallant Friend. The object of my hon. and gallant Friend's scheme is to reduce the active list. For instance, it is proposed to curtail the number of lieutenants. Now, the fact is, that although we are in a time of profound peace, and although fewer officers in proportion to the ships are now required than formerly, we have not at this moment sufficient lieutenants. If we were called on to man a squadron of ten line-of-battle ships, I do not know where we should find the requisite number of lieutenants, although we have 800. How could our navy maintain its position if this reduction to 700 were to be enforced? The proportions of all ranks are mainly governed by the lieutenants; they are, as it were, the pivot of the system, and, in my opinion, we should have a thousand of them. It is quite possible, I own, as far as the wants of the service are concerned, to reduce the upper ranks. No one can say that it is probable we shall at any time require ninety-nine admirals. But, if you cut down the admirals to sixty, the captains to 250, and the commanders to 300, keeping the lieutenants, as I have shown you must, at 800 to 1,000, you are stopping the flow of promotion and ruining the navy. At the end of the war of 1816 we had 242 admirals, and in 1863 we had 325 admirals. Of course, that large number is not necessary for actual service, but without it we should not have that flow of promotion which is absolutely needed in the navy. The gallant Officer opposite proposes that there should be a retired list on which officers should be placed at the age of forty; but that would be most unjust, and it would be so costly—for a retired list is necessarily unlimited—as to be altogether unbearable. Both the active and the retired lists proposed by the gallant Officer, therefore, are utterly impracticable. I do not deny that the navy has certain disadvantages to complain of, but I cannot agree that it is getting worse and worse every year, or that there is any discontent among the officers, beyond that which may be engendered by sending circulars about and inviting them to imagine grievances which they never knew of before. Let us just compare the flow of promotion now and at the end of the French war. In order to a proper flow of promotion you must have a fair proportion in the upper as compared with the lower lists. In 1816 there were on the various lists 4,000 lieutenants—who are the key of the whole system—or 67 per cent of the whole lists of naval officers, leaving 33 per cent of the classes to which they could hope to rise. In 1832 there were 3,000 lieutenants on the list, or 59 per cent, leaving forty-one chances in a hundred of promotion. In 1848 there were 53 per cent of lieutenants leaving 47 per cent of higher rank; and in the present year there are 1,177 lieutenants, or 35 per cent of the whole list, leaving sixty-five chances of promotion to the hundred. That is a great improvement, though I should be glad to see the improvement greater. What I wish to show is that the various schemes which have been introduced from time to time have undoubtedly done good. We are obliged in the navy—in peace or war equally—to promote officers because we want young men. In the Civil Service, or in the seniority services, officers can be kept in time of peace on full pay; but that, of course, leads to a stagnation of promotion, which would be fatal to the efficiency of the navy. The great misfortune is, that in time of peace you have not fleets and squadrons in commission sufficient to give employment to your commanders and captains; and when a man is made commander or captain, it may be long before he obtains employment. As regards the age at which officers get promoted, the navy, I think, is better off than the other services. In the matter of pay I warn my gallant Friend that his case is not so good as he thinks. I wish to see the navy as well paid as any service. I had almost said better paid; but if my gallant Friend is going to hold out to officers that they are to have largely increased pay, he will turn out to be the worst friend the navy has ever had. I admit that in the French service the pay of some officers is higher than in the English navy, but a most important thing in the comparison is the age at which officers are promoted and begin to receive good pay, and here you will find we have the advantage of the French. Comparisons may fairly be drawn between the navy and the artillery. Let us take the case of two brothers, one of whom enters the artillery, the other the navy. The naval officer, it must be remembered, is educated at the public expense, while the artillery officer has to pay for a very expensive education at a military academy. In the navy a man is made, on an average, a lieutenant at twenty-two, and receives £182 a year, and the artillery officer becomes a first lieutenant at twenty-three, and gets only £125, including all allowances, and has quite as expensive a mess to pay for as the other. This disadvantage in pay follows through all the ranks up to general officer. I have here some figures regarding the pay of the different ranks in the French navy, which the naval *attaché* to the French embassy has been kind enough to go over very carefully with me. I find that the pay of a French lieutenant is £144 while he is abroad, £128 when in France, and only £110 when he is in arsenal. Put that against £182, the pay of the English lieutenant. I should be sorry to reduce the pay of the latter officer; but I say, with facts such as these, you have no right to come down here and say that our officers are worse paid than any others. [Sir JOHN HAY: What about lieutenants in command?] The French officers, I admit, are better paid when in command. That applies until you come to the flag officers, but there it ceases. Their admirals are not better paid. Again, it is to be remembered that the French officer is generally much older than the English when he comes to command. When a French lieutenant is in command, he gets £408. My hon. Friend said that he receives £530, but that is a mistake. Our lieutenant gets £234, so that the French officer is better paid; but then he is thirty-six or thirty-seven years of age, when our lieutenant in command may only be about twenty-five. I admit, therefore, that French captains, commanders, and lieutenants in command are better paid than officers of similar rank in the English navy; but then the former are older than the latter. When you come to the flag officers you find that the French *Contre-Amiral* has £2,160, including every allowance, while a Rear Admiral in the British navy has £2,190. [Sir JOHN HAY: All public entertainments are paid for in the French navy.] I do not know how that is, but the French officers are obliged to provide themselves with furniture, plate, and linen—he must do the whole thing on his own account—while for the British officer all these things are found, on a payment of 5 per cent. An officer in our service need only take his portmanteau on board with him. [Sir JOHN HAY: He must now take his own provisions.] No such thing. My hon. and gallant Friend made a very temperate statement this evening; but do not let him attempt to prove too much. In referring to the points on which I have touched, I do not mean to imply that I should not wish to see the pay of our officers improved. I do not say that I shall not be a party to procuring better pay for them if I can get the chance; but I shall not be a party to raising a cry that they are miserably paid. What has the present Government done for the officers of the navy since they came into office? I do not think the House has any idea of what I have come down and asked for since I took my seat on these benches. The aggregate sum which I have asked the House to vote is a very large one. For the improvement of the pay and pensions of all classes of the navy I have asked for £120,000 a year. That is one sum. My hon. and gallant Friend can move for a Return of the various items of which that amount is made up, if he thinks fit to do so. In addition to that comes the retirement of 1860. If hon. Members will turn to page 23 of the Duke of Somerset's memorandum, they will find that in 1860, before the retirement scheme took effect, the reserved list amounted to £386,000; but in the year 1861 it had increased to £420,000. That was due to an Order in Council. This House has, consequently, granted within the last three years and a half, at the instance of the Admiralty, upwards of £150,000, which has been added as a dead-weight to the expenditure of the country. Is it fair, then, of my hon. and gallant Friend to charge me or charge the Admiralty with neglecting the interests of the service? Is it fair of him to make such a representation to the public? Is it fair to excite discontent in the service by issuing paper shells—elongated shells, which have pierced the sides of even the *Warrior* and the other iron-plated ships, and have done more damage than iron shells could do? If my hon. and gallant Friend or any other officer had come to the Admiralty and represented the wrongs which he thinks the navy labours under, his statements would have been listened to with attention. The hon. Member for Devonport (Mr. Ferrand) says that officers dare not come to the Admiralty. I do not know why the hon. Member should make that statement, which, if correct, would apply to former Boards as well as to the present. I presume he alludes to the case of the retired officers. Well, we know they laboured under the impression, that when the Admiralty accepted their retirement, they were entitled to rise in rank and pay. The right hon. baronet the Member for Portsmouth (Sir Francis Baring) was First Lord when that arrangement was made. The House knows he is not a man who would really intend to do one thing and tell any one that he intended to do another. He said the intention was that those officers were not to rise *pari passu* with the other officers. The gallant officers concerned thought otherwise. They brought their case before the House, and I was glad when their pay was improved. I shall also be glad if it be shown to the Committee which it is proposed to appoint that there is a case for increasing the pay of the officers to whom my hon. and gallant Friend has referred. My hon. and gallant Friend spoke of the pay of the captains having been reduced. That is really misleading the House. Up to a particular period there were various perquisites. At the time those perquisites were taken away, a proper fixed remuneration was decided on. Since then I am not aware there has been a reduction of pay. When the circular, giving command money and adjusting pay, came out a year or two ago, some officers lost by it; but those were exceptional cases, and did not affect those already employed. The great majority were gainers. As for the insinuation, that the noble Lord at the head of the Government is attempting to get rid of the question by a side wind, it is not worth replying to. The profession will not believe it. The noble Lord has given too many proofs of his love for the service. The officers of the navy will feel certain that what he says he will do, and that when he proposes an inquiry he intends that it shall be conducted with the utmost justice and fairness.

SIR JOHN PAKINGTON: Sir, the speech of my noble Friend has been directed rather to those details upon which the House has not been asked to pronounce an opinion than to the broad principles which are laid down in the Motion submitted to us by my hon. and gallant Friend the Member for Wakefield, and upon which he has asked us to come to a decision. I cannot allow this debate to close without offering to my hon. and gallant Friend my congratulations upon having at last elicited from a reluctant Admiralty and a reluctant Government a distinct admission, in more shapes than one, that he is practically justified in the course he has taken on the present occasion. At the same time, I must express my strong opinion that my hon. and gallant Friend was not in any way open to the somewhat harsh censure which the noble Viscount at the head of the Government passed upon him as an officer of the Royal Navy for having brought his Motion before the House. In my opinion, my hon. and gallant Friend has taken a course upon this subject which does him the greatest credit and honour. This is no new subject; it is one of great importance; and looking to the position of my hon. and gallant Friend as an able and distinguished officer of the Royal Navy, I think he could have taken no course more natural, more honourable, or more becoming in him than to come forward on behalf of his profession and brother officers, and to ask the Government to redress the grievances of which they have long complained. Nor was my hon. and gallant Friend open to the objection which the noble Viscount expressed as to the shape of his Motion. The noble Viscount asked how the House was to pronounce an opinion upon anything so vague as this Resolution. Why, Sir, nobody knows better than the noble Viscount himself, that if my hon. and gallant Friend had taken an opposite course—if he had encumbered his Motion with those details to which my noble Friend the Secretary to the Navy has just adverted—he would have exposed himself to the taunt, which no one would have been more ready to make than the noble Viscount, that the House of Commons could not pronounce an opinion upon matters which were only fit to be dealt with by the executive Government. I need not say that this is a subject in which I have always taken a great interest, and I am desirous, if the House will allow me, to call its attention for a few moments to the past history of the question. When I was called upon to administer the affairs of the Admiralty, I found the naval service in a most unsatisfactory condition. During the short period I held office I was obliged to recommend the appointment of a Royal Commission to consider how we might improve the manning of the navy. I think it will be admitted on all hands that the result of that inquiry has been most satisfactory. I also found the navy, with regard to this question of promotion and retirement, in so unsatisfactory a state, that I was compelled by a sense of duty to address myself to the question, and to prepare a plan for the improvement of the system of promotion and retirement, which plan was adopted by the Cabinet of the Earl of Derby, and, if I had held office for a month longer, would have been carried into effect. That plan was founded upon the broad principle which I have advocated before, which my hon. and gallant Friend the Member for Wakefield has urged to-night, and which I am prepared to advocate again—namely, that you will not have the naval service of England in a satisfactory condition until you adopt the system of retirement by age, and apply it to all ranks of the service. I left the plan in the hands of the noble Duke who now fills the office of First Lord of the Admiralty, imploring him not to regard it in a party light, but to look upon it as an endeavour to improve the naval service, and to carry it out if he approved the principles upon which it was founded. The Duke of Somerset did not see fit to carry out the plan, or any other founded upon that principle. The course I then took was, in 1860, to make a Motion which was strictly constitutional in its character, and which, as the Government were unwilling to act as an Executive, was the next best course that could be taken. I moved in this House for the appointment of a Royal Commission to consider the question of promotions and retirements in the navy After a debate and a division, the Motion was rejected. It was under these circumstances that, in 1861, my hon. Friend the Member for Portsmouth (Sir James Elphinstone) moved for the appointment of a Committee of this House for the same purpose. And here I must take exception to the statement of the Prime Minister respecting the course which he is now adopting. The noble Lord told us that he is now adopting the same course as was taken by him in 1861. Not at all. In 1861 he resisted the Motion for a Committee. The Admiralty, represented by the noble Lord (Lord C. Paget), also resisted it. They said it was an improper mode of proceeding. The noble Lord then disapproved the Committee, voted against the Committee, and was beaten. This happened in 1861, and now, two years afterwards, the noble Lord, from what motives it is not for me to say—circumstances must have changed, for his conduct has entirely changed—although in 1861 he disapproved a Committee and divided against it, now says the appointment of a Committee is the proper course. Now, I venture to think that such conduct is both inconsistent and injudicious; and, Sir, the whole position of the Government is the most extraordinary that I have ever heard since I have been a Member of this House. They seem to be afraid to bring forward any important measure and to grapple with any difficult subject. The administration of the Criminal Law falls into a state so feeble and so unsatisfactory that the whole country cries out against it. Do the Government, as an Executive, improve that administration? No; they say, "Let us have a Commission." Now they find that the naval service is not disposed to be trifled with any longer; they find grave complaints made on its part, and a strong feeling in this House in its favour. So they change their tactics and say, "We, the Executive, won't redress these grievances; let us have a Committee." In my opinion, the worst mode in which this subject of naval promotions and retirements can be dealt with is by a Select Committee of the House of Commons. In my opinion, it ought to be dealt with by the Executive. If the matter is too complicated to be dealt with directly by the Executive, then a Royal Commission is the proper course. Why was it that my hon. Friend (Sir James Elphinstone) moved for a Committee two years ago? Why did I support the Motion? Because the Government had refused to grant a Commission. It was then that we tried what I may call the last resource. We asked for a Committee, having been refused everything else, and being told by the Admiralty that things were going on very well as they were and wanted no improving. What is our position now? Hon. Members have in their hands the memorandum of the Duke of Somerset, and let me remind the House under what circumstances the memorandum was first heard of. The Government were not ignorant either of the dissatisfaction existing in the navy, or of the strong feeling in the House on the subject, but they did nothing till my hon. and gallant Friend (Sir John Hay) put a notice on the paper. This notice was given on the 12th of February, and then down comes my noble Friend opposite and says he should like to lay on the table a memorandum by the Duke of Somerset, dated February 13. The House will judge for itself whether the Motion and the memorandum do not stand towards each other in the intimate relation of parent and child. At the close of the memorandum we find this passage—

> "While, however, the suggestions which have been here examined" (meaning the suggestions contained in the pamphlet presented by my hon. and gallant Friend) "as a comprehensive plan of promotion and retirement cannot be recommended for adoption, there are undoubtedly many questions connected with the pay and position of officers in the navy deserving further consideration."

This is the first time we have ever had such an admission from the present Board of Admiralty. Four years have we pressed upon them in different ways that something should be done; four years have we pressed upon them the well-founded dissatisfaction of the service; but no redress was obtained, no acknowledgment of existing grievances was ever made. We never heard this language used until the notice of my hon. and gallant Friend appeared on the paper, and now comes down the noble Lord and says, "We will give you a Committee." Sir, I have another objection to the course taken by the Prime Minister in recommending a Committee. The course so recommended and the passage which I have just quoted are not consistent with each other. The Duke of Somerset acknowledges that not only promotions and retirements in the navy, but the pay of the navy, ought to be considered The noble Lord says "Take a committee," knowing very well that it is not the constitutional course — and he himself very properly raised this very question two years ago—to refer the subject of naval pay to a Committee of the House. It was therefore impossible that the course recommended by the noble Lord the Prime Minister should meet the evils pointed out by the First Lord of the Admiralty. We have heard a great deal upon this question of naval pay. I wish to guard myself against being supposed to agree in all the details of the plan propounded in the pamphlet. I entirely subscribe to the principle of retirement by age, and to the objection that the pay of the navy wants re-adjustment, but I am not prepared to pledge myself to any details in respect either of promotion or retirement, or of pay. Reference has been made to expressions attributed to me in 1860; but though they fell from my lips on the occasion, they were not mine, but came from a far higher authority—the Report of the well-known Commission of 1840 upon the pay of the army and navy, which was presided over by the late Duke of Wellington. That Commission said—

> "Carefully weighing the urgent reasons that exist for a rigidly economical administration of the public revenues on the one hand, and on the other the no less imperative necessity of keeping the limited naval establishment employed in time of peace, energetic and therefore useful, contented and therefore efficient, we have no hesitation in earnestly addressing our unanimous recommendation to your Majesty that there should be a considerable increase in the rates of sea pay allowed to navy lieutenants."

This passage refers only to one branch of the naval pay, but I entirely adopt the language of the Report; and I hope the Government will not fail to bear in mind those just words—if you want your navy to be efficient, you must make it contented. But is there no ground of complaint respecting the pay of other branches of the service? We have been reminded of the cases of officers refusing ships because they could not afford to accept them, and I understood the noble Lord to intimate his dissent from that statement. Why, Sir, I have told the House before that such cases came under my own observation more than once while in office. There was one remarkable case in which I sent for a distinguished officer and offered him the command of one of the finest ships in the service. He came back next day, and said, "I am much obliged to you, but I cannot afford to take it." I have before read to the House an extract from a letter written by an officer of great distinction, who says—

> "I have dipped heavily into my small private means to arrive at and keep my position, and unless there were a naval war, when I would live on bare ship's allowance rather than not serve, I could not afford to take a more active command than that I at present hold, from the feeling that I should be unable to support my position as it ought to be maintained in the service afloat, and at the same time do justice to my children; and I know many officers who are similarly circumstanced."

Let me ask, is it true, or is it not true, that the gallant admiral who was appointed to succeed Sir James Hope in China has declined the command? There are current rumours that the Board of Admiralty have already applied to some four or five flag officers to succeed the gallant officer, and that no one can be found to undertake it. Is it true also, that officers in command of some of the finest ships in the Mediterranean have applied to come home, and to resign their commands as soon as they have served their time? I need not point out that these are facts—if facts they be—which do not conduce to the honour of Her Majesty's service. The noble Viscount may tell us of the honour of serving the Crown and of receiving votes of thanks and other things of that kind; but let me put it to him, as between man and man, is it for the honour of the service, or for the efficiency of the service, that officers should be so underpaid that the ablest and most experienced men cannot afford to accept commands? I entreat the Government carefully to consider these facts. I ask them to consider the point at which this question has now arrived. They have been pressed upon it for four years. I make no imputation. I may have been mistaken in the strong views I have held, and, no doubt, the present Board of Admiralty have been sincere in the opinion they have until recently held; but now they have made very large admissions. The noble Viscount has entirely changed his course, and has granted the Committee which two years ago he refused to consent to. The Duke of Somerset, also, has entirely changed his course, and after maintaining for four years that no change was necessary, he comes forward with a frank admission that some alteration is required. These are important facts, which my hon. and gallant Friend has to consider in deciding upon the course he will take. Perhaps, after what has fallen from me, it is hardly necessary to add, that should my hon. and gallant Friend press his Motion to a division, I shall feel it my duty to vote with him. But I would suggest to him, that although the course taken by the noble Lord is not quite consistent with that taken by the noble Duke, yet, taking the two together, they do constitute important admissions, and do place the question in a wholly new point of view. I would, therefore, submit to my hon. and gallant Friend whether, under the circumstances, he would not feel that he can best discharge the duty he has undertaken, and which he has ably performed, by abstaining from pressing his Motion to a division. I will also take the liberty of making another suggestion, and would submit to the noble Lord, whether it is too late, having reference only to the welfare of this great service, if my hon. and gallant Friend abstains from pressing his Motion, for the noble Lord to reconsider the proposal for a Committee. I cannot help thinking, that upon reconsideration, and remembering what took place two years ago, he might be disposed to change his view, for I cannot but think, that of all modes of dealing with this great question, that of doing so by means of a Select Committee is the very worst. After the admissions that have been made, it would be far better that the Government should undertake to deal with this question as the Executive of the country, and it is in the hands of the Executive that such a question should strictly and constitutionally be left. I am sure the noble Lord will not mistake the spirit in which I make this suggestion, and I sincerely hope that whatever course is taken, the result may be to advance the welfare and increase the efficiency of the naval service.

SIR CHARLES WOOD: When the right hon. Baronet indulges in corrections of what has been said and done on this side of the House, he should be careful as to the accuracy of his own statements. The right hon. Gentleman stated, that when he went to the Admiralty, nothing had been done as to the manning of the navy.

SIR JOHN PAKINGTON: I did not say that nothing had been done, but that I found the naval service in so unsatisfactory a condition that I was obliged to appoint a Royal Commission.

Sir CHARLES WOOD: I understood the right hon. Gentleman to say that nothing had been done. In truth the Coast Guard had been brought under the Admiralty, and rendered available for service in the navy—and the Naval Coast Volunteers had been re-organized for the same purpose. What struck me as remarkable was that the right hon. Baronet, after finding fault with the present Government for not dealing with an important question, but appointing a Royal Commission to inquire into the matter, should have taken great credit to himself for pursuing precisely the same course. And then as to the plan of retirement: The right hon. Baronet's scheme is on the table of the House, but it was not fortunate enough to receive the support of his own Board, as we have been told to-night that he threatened to dissolve the Board upon the question of the medical officers.

Sir JOHN PAKINGTON: I am sorry to interrupt the right hon. Gentleman a second time, but he is making all sorts of mistakes. I never alluded to the question of the medical officers. What was said by the hon. Gentleman on the other side of the House referred to the evidence I gave before the Admiralty Committee. In that evidence I stated that my plan for retirement and promotion —not connected with the medical officers —from the manner in which it affected officers at the head of the service, was not acceptable to some of the naval men at my Board; and having Her Majesty's permission to make the statement, I said I was prepared to break up my Board rather than not pass my plan.

Sir CHARLES WOOD: I quoted the statement of the hon. Gentleman who spoke a few minutes ago, and who was a member of the Committee. However that may be, the plan of the right hon. Gentleman was not approved by the noble Duke who succeeded him, who brought forward his own plan in 1860. Then, again, the right hon. Gentleman says that my noble Friend in assenting to a Committee is inconsistent with himself two years ago. But that is not the case. My noble Friend proposed to refer to the Committee upon Admiralty affairs then sitting the very question which he now proposes to refer to a Select Committee. The course, therefore, is not inconsistent, but identical. Then, as to the extraordinary tyranny exercised by a Whig Board of Admiralty that we have heard of from the hon. Member for Devonport, by which they prevented a due exercise of the franchise by those employed in the dockyards. When I was First Lord the patronage of the dockyards were given over to the Superintendents, and since then the Board of Admiralty has had nothing to do with promotion or employment in the yards. But the best proof of the independence of those employed in the dockyards is the hon. Gentleman's (Mr. Ferrand's) presence here; for if at the last election at Devonport the dockyard votes had not been given at all, the Lord of the Admiralty would have been returned, whereas, in fact, with a majority elsewhere in his favour, the Lord of the Admiralty had a majority of 150 dockyard votes against him. As for the objections to accept the China command, I can only say the noble Lord near me has never heard of them.

Sir JOHN HAY said, he believed he should be carrying out the wishes of the House by accepting the proposal of the noble Lord the Prime Minister to appoint a Committee to inquire into this subject, and the recommendations of which would be brought before Parliament. He trusted that the Committee would be one in which the House and the service would have confidence. As the noble Lord had changed his opinion within the last ten or fourteen days, and, instead of opposing, now proposed inquiry, he was prepared to meet him half-way. With reference to what had fallen from his noble Friend the Secretary to the Admiralty, it was not for him to contest the positions he had advanced; it would be for the Committee to decide who had put forth the fairest statement, and he did not mistrust the result. He felt excessively obliged to the House both on his own behalf and in behalf of the navy for the kind attention he had received, and he now sat down in the confident hope that the inquiry would take place, and that the Report would be carried out in good faith by Her Majesty's Government.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved,

That this House, having on the 13th day of March 1861 instructed a Select Committee to consider the present system of Promotion and Retirement in the Royal Navy, is of opinion that its decision should be suspended until the subject shall have been accordingly considered and reported upon; and that a Select Committee be appointed to consider the present system of Promotion and Retirement in the Royal Navy, and to report their opinion thereon to this House.

SECURITY FROM VIOLENCE BILL.

LEAVE. FIRST READING.

MR. ADDERLEY said, he rose to ask permission of the House to introduce a Bill for providing for the further security of Her Majesty's subjects from personal violence. The Bill was a very short one, but he thought it would be effectual. The punishment provided by the existing Act of 1861 for the crime of robbery with violence was penal servitude for terms ranging from three years to life, or solitary imprisonment, with hard labour, not exceeding two years. He proposed to make the same addition to that punishment for robbery with violence which was made by the Act of 1842 to the punishment for attacks upon the Queen, and by the Act of 1845 to the punishment for malicious injury of works of art—namely, corporal punishment. He did so for the same reasons, with the same object, and he was convinced with the same result which attached to those two Acts. It seemed to him that in the long and dreary vista of broken-down experiments in penal enactments during the last fifty years those two Acts stood out in striking contrast of complete success. The proposition was made in no retrograde spirit, but it followed precedent, proof from experience, and, he must say, the dictates of common sense. In the Larceny Consolidation Act of 1861 corporal punishment of adults was deliberately retained in the case he had alluded to, which he held belonged to the same category as robbery with violence. He attached no weight whatever to the opinion of those who opposed corporal punishment as degrading. These men argued from their own innocence to the feelings of degraded humanity. The question was not whether corporal punishment was applicable to men of honour, but to the correction of men of the lowest motives. According to the philosophy of punishment, to be effectual it must be addressed to the motives of the punished; and if there were those who would only be deterred from crime by fear of pain, it was surely far better to visit the crime with the punishment which would put a stop to its commission rather than by inefficient punishments lead to the perpetual repetition of the crime and the punishment too. He in no way trenched on the ground fenced off for the Royal Commission instituted for inquiring into the operation of the Acts on penal servitude and transportation, and the manner in which they had, or rather had not, been carried out. Even if the House was content to suffer an embargo to be laid on its action, and that public opinion should be obstructed just when it was ready for action on recent experience, the Minister could scarcely plead such an embargo as an excuse from discussion who had continued to deal with the question himself, and made considerable alterations by circulars from his own Department, pending the inquiry which he had himself instituted. He proposed not in any way to affect the operation of the two Acts of 1853 and 1857 which had been referred to the Commission, but simply to make an addition, or, he would say, to supply an omission in them—namely, to add another crime to the list which had been reserved for corporal punishment in aggravation of the penalties provided by those Acts. He had not only the great success of the Acts of 1842 and 1845 to adduce in favour of his proposition, but wherever else corporal punishment had been tried, or was still in use, they found it had precisely the same results. He might quote the high opinion of the Duke of Wellington as to the efficiency of corporal punishments in the army; for when he gave evidence against the excessive use of that punishment, he guarded himself against being supposed in favour of its abolition. Not only for deterrence, but as an exemplary punishment, in certain cases, he considered it was absolutely necessary. As to the use of that punishment in prison for purposes of internal discipline, he could adduce the high authority of Major Fulford the governor of the county goal at Stafford, who stated that in thirteen years' experience, having had every species of ruffian under his care, however inefficient other punishments might have been, he could say with regard to corporal punishment alone that he never on any occasion had to repeat it a second time. He did not think public opinion in this country would be content, especially in the existing extremity for efficient secondary punishments, to throw away one which had proved so effectual; and if it had been successful in protecting Her Majesty from violence, and works of art from malicious injury, would they be acting like sensible men if, from any feeling of scrupulousness, based, he believed, on a perfectly false philosophy, they allowed themselves to be exposed to the most rampant violence when such an effectual remedy lay idle in their hands? He begged to move for leave to bring in the Bill.

SIR GEORGE GREY said, that on the part of Her Majesty's Government he would not offer any objection to the bringing in of the Bill, but he wished, however, to guard himself against being supposed to assent to its principle. The right hon. Gentleman had not explained the manner in which he proposed to effect his suggested alteration of the law. The House should bear in mind that only two years ago the Criminal Law was revised and consolidated, and that, upon the recommendation of the Select Committee to whom the revision was intrusted, the House decided that the punishment of flogging should be abolished in respect to offences to which it formerly attached by law, with the exception of the two or three cases to which the right hon. Gentleman had adverted. The House would, therefore, have to carefully consider, when the Bill came before them at a future stage, the grounds on which it was asked to retrace its steps. He did not collect from the right hon. Gentleman's speech whether he intended to make the infliction of corporal punishment imperative, or to leave it to the discretion of the Judge. In the latter case he would do well to remember, that when that punishment was attached to certain offences, it was very rarely inflicted. When a particular judge, in the exercise of his discretionary power, sentenced a prisoner to be whipped, juries were found reluctant to convict, and prisoners often escaped. The Judges very rarely sentenced prisoners to corporal punishment, and past experience led to the belief that if they were again to be intrusted with the power of doing so, they would rarely exercise it. The Bill might thus alter the theory of the law without producing much effect on its practice. On the other hand, if the infliction of flogging was to be imperative, the right hon. Gentleman had not stated whether he meant it to be a cumulative punishment, in addition to imprisonment and penal servitude, or in substitution for them. Again, a prisoner's health, age, or other circumstances might make it impossible to inflict the punishment, though he

had committed an offence to which it might attach. Nor had the right hon. Gentleman very accurately defined the crimes to which he desired to affix that punishment. He had spoken of offences attended with violence, but it was not very clear whether he meant to include burglaries with violence. Moreover, if flogging was so effectual, where was the line to be drawn? Was one man, who knocked down another to rob him of his watch, to be subject to this punishment; while another, who knocked down a woman to violate her, was to be exempt from it? In the army and navy flogging might be necessary in certain cases; and in gaols, when violent outbreaks suddenly occurred, he believed it was the only effectual mode of suppressing insubordination; but it was a different thing when inflicted on men who were to be tried for a crime weeks, or perhaps months, after its commission. He would not oppose the introduction of the Bill, and he should be glad to hear fuller explanations from the hon. Gentleman at a subsequent stage.

Motion *agreed to.*

Bill for the further security of the persons of Her Majesty's Subjects from personal violence, *ordered* to be brought in by Mr. ADDERLEY, Sir STAFFORD NORTHCOTE, and Mr. GARNETT.

Bill *presented*, and read 1°. [Bill 35.]

JURORS' REMUNERATION BILL.

LEAVE. FIRST READING.

MR. AYRTON said, he rose to move for leave to bring in a Bill under which jurors would be entitled to remuneration in certain cases. The claims upon the time of jurors had of late greatly increased, and he proposed that when they were called on as a matter of convenience to suitors to perform a duty not cast upon them in former times, namely, to act in cases not originating in the county in which they resided, they should be entitled to receive a fee of 7*s*. each, or one third of the fee paid to special jurymen.

THE SOLICITOR GENERAL said, he would not oppose the introduction of the Bill; but at the same time he wished to be understood as not committing himself to its principle.

Motion *agreed to.*

Bill for the remuneration of Jurors in certain cases, *ordered* to be brought in by Mr. AYRTON and Sir FITZROY KELLY.

Bill *presented*, and read 1°. [Bill 36.]

WRITS PROHIBITION.—LEAVE.

MR. E. P. BOUVERIE said, he wished to ask for leave to introduce a Bill to prohibit the issue of writs for actions of debt in the superior courts for sums of less than £20. Practically, a large majority of the cases in which writs were issued did not come to trial, and an enormous number were for very small sums, of £2, £3, and £4, where the costs were at least equal the sum sought to be recovered. He proposed by this Bill to meet that great grievance, leaving the law as it stood at present in regard to actions for damages and other matters. He proposed to fix the second reading for a not very early day, and would undertake to shape the Bill according to any suggestions of the legal authorities of the Government, if they accepted the principle.

THE SOLICITOR GENERAL said, he was willing to assent to the introduction of the Bill, which was undoubtedly one of great importance. The hon. Gentleman had stated that he would accede to any suggestion that might be made, in case it should appear to them that there was no objection to the principle of the Bill.

Motion *agreed to.*

Bill to prohibit the issue of Writs for Actions of Debt in the Superior Courts for sums of less than Twenty Pounds, *ordered* to be brought in by Mr. EDWARD PLEYDELL BOUVERIE and Mr. HARDCASTLE.

PRINCE AND PRINCESS OF WALES' ANNUITIES BILL.

Order for Committee read.

MR. NEWDEGATE said, he was anxious, on the part of several most intelligent persons who had communicated with him, to put a question to the noble Lord at the head of the Government, which he was personally convinced would receive a satisfactory answer. On the occasion of the marriage of Her Most Gracious Majesty, the Duke of Wellington insisted on having a public declaration that the Prince Consort was of the Protestant faith. He had been requested to ask the noble Lord at the head of the Government to announce distinctly whether Her Royal Highness the Princess Alexandra was a Protestant.

VISCOUNT PALMERSTON: Sir, I am very glad to be able to answer the question of the hon. Gentleman in a manner that will, I am sure, be satisfactory to him and to the House. When the question arose of selecting a Princess who might be the wife of the Prince of Wales, the following conditions were thought to be requisite: First of all, that she should be young; next, that she should be handsome; further, that she should be agreeable, that she should be amiable in her disposition, that she should be well brought up; and, lastly, that she should be a Protestant. All these conditions, I am happy to say, are united in the Princess Alexandra. I trust, therefore, that the choice will be as satisfactory to the nation as I am sure it will be conducive to the happiness of the Prince of Wales.

House in Committee.

Bill *considered* in Committee.

House *resumed.*

Bill *reported*, without Amendment; to be read 3° on *Thursday.*

BILLS OF EXCHANGE AND NOTES (METROPOLIS) BILL.

Bill to make provision concerning Bills of Exchange and Promissory Notes payable in the Metropolis on the day appointed for the passage through the Metropolis of Her Royal Highness the Princess Alexandra of Denmark, *ordered* to be brought in by Sir GEORGE GREY and Mr. BRUCE.

Bill *presented,* and read 1°. [Bill 33.]

House adjourned at half after Ten o'clock, till Thursday.

HOUSE OF LORDS,

Thursday, February 26, 1863.

MINUTES.]—PUBLIC BILLS.—*First Reading.*—Prince and Princess of Wales' Annuities (No. 24).

Second Reading.—Gardens in Towns Protection (No. 14).

Committee.—English Church Services in Wales [H.L.] (No. 7).

Report.—English Church Services in Wales [H.L.] (No. 7).

ITALY—AFFAIRS OF ROME.

QUESTIONS.

THE MARQUESS OF NORMANBY said, he had given notice to his noble Friend the Secretary for Foreign Affairs, of his intention to put two Questions to him that evening. The first of these had reference to the delay in the production of certain Despatches which his noble Friend quoted in his speech on this subject a few evenings since. Although his noble Friend had read extracts from these Despatches, they had never been printed; and his noble Friend had failed to lay them on the table immediately afterwards, as was the invariable practice to do in the case of documents from which extracts had been read in the course of debate. His noble Friend near him (the Earl of Ellenborough) stated most truly the other night, that no Minister of the Crown ought to read extracts from any public document, unless he were prepared at once—he emphatically stated at once—to lay the document upon the table, because, if delay were to take place, incorrect impressions might be produced. Inasmuch as the whole question turned upon the balance of recollection, he hoped the noble Earl would not permit any further delay in the presentation of these documents. These despatches ought to be produced at once; and he believed that when the noble Earl's attention was called to them again, he would readily admit that they would not bear the interpretation which the noble Earl had sought to place upon them. There was another Question which he would put to the noble Earl, of a more serious nature. Within the last few weeks a statement had been printed in some of the German papers, and had been copied into other journals without contradiction, to the effect that Cardinal Antonelli in a Despatch to M. Chigi, the Papal Nuncio at Paris, informed the latter that Mr. Odo Russell had made a further attempt to induce the Pope to quit Rome, and had quoted a letter from the noble Earl expressing some disappointment that the Pope had not followed this advice, and had even gone so far as to intimate, that if he did not speedily avail himself of the offer, he might be compelled to do so. It was also stated that Cardinal Antonelli had demanded what right Mr. Odo Russell, being only an *attaché,* had to address the Pope in these terms, and had declared that he would in future only hold communication with Mr. Russell in his private capacity. He wished to know whether the noble Earl knew of any such Despatch.

Earl RUSSELL said, that with regard to the despatches of the noble Marquess from which he had quoted in a former debate, he had more than once stated that he had no objection to produce them, or extracts from them. He had not understood that the noble Marquess had formally asked for them—but they would be laid upon the table to-morrow. There was no doubt that it was conformable to the general rule that all despatches quoted by a Minister should be laid upon the table; but he also knew that that rule had not been observed on more than one occasion, and particularly he remembered in the other House of Parliament a Chancellor of the Exchequer quoting extracts from despatches of his and not only not producing them till a late day, but not producing them at all. In this case he would give the extracts to-morrow. He was rather surprised that the noble Marquess should so constantly harp on this theme. He considered that the despatch from which he had quoted the *dictum,* that if England's advice in the cause of national liberty was neglected, it would reflect no discredit upon her, was to his noble Friend's honour. He knew nothing in his noble Friend's diplomatic career which reflected on him more credit; and if his noble Friend succeeded in effacing it, he knew of nothing in it which would remain to do him equal honour. It was quite natural that in reference to the French occupation of Rome the English Government should make representations in favour of national liberty. If these representations were well taken, they produced good; if not, they could reflect no discredit on the English Government. No doubt, there was a great difference between the position of the French and English Governments in reference to this question. With respect to the other Question, as to some supposed despatch from Cardinal Antonelli to M. Chigi, he was certainly not at all responsible for what Cardinal Antonelli might have written to the Papal Nuncio at Paris. It was a very odd story altogether. As to his having written a letter to Mr. Odo Russell to the effect that the Pope ought to leave Rome, and that if he did not, he might be obliged, and which Mr. Russell read to Cardinal Antonelli, he (Earl Russell) had certainly never written any such letter. As he certainly did not expect that the Pope would leave Rome, knowing well that the Emperor of the French by a change of Ministers for Foreign Affairs had indicated his intention to maintain the French troops at Rome, he would never have thought of writing such a letter as had been represented; and, consequently, he had never felt disappointed that the Pope would not follow his advice. Mr. Odo Russell, who was the other person immediately concerned, said he went to pay a visit of courtesy about the time mentioned; but he never mentioned any letter of his, he never had such a letter, and he never read such a letter to Cardinal Antonelli. Whether Cardinal Antonelli was under that impression or not he could not tell. Nor could he say whether there was such a despatch or not, but as far as it related to a letter of his the statement was without foundation. The noble Marquess asked what business had an *attaché* of the embassy at Turin to go to Rome? Mr. Russell was not an *attaché* of the Embassy at Turin. At one time he was an *attaché* at Florence and Naples; but the Grand Duke of Tuscany and the King of Naples having quitted their respective dominions, of course he could no longer be an *attaché* at their courts. Cardinal Antonelli inquired of Mr. Russell in what character he was at Rome; and, after some observation, he went on to say, that as the King of Sardinia was an excommunicated Sovereign, it would not be agreeable to the Roman Government to receive an *attaché* from an Embassy to an excommunicated Court. The Foreign Office could have no objection to meeting the views of the Roman Government in this respect, and Mr. Russell was made an *attaché* directly from the Foreign Office. If Mr. Russell had ever spoken to Cardinal Antonelli on State affairs, it was entirely owing to Cardinal Antonelli, who had taken the initiative. The Cardinal had often conversed with Mr. Russell on State matters in the most confidential manner, stating, at the same time, that there was nothing official in the communications. There could be no possible harm in Mr. Russell listening to what Cardinal Antonelli had to say.

THE EARL OF DERBY said, that the noble Earl had not answered the really important portion of the Question which had been put to him. His noble Friend had not asked him to produce a despatch from Cardinal Antonelli—which of course he could not do—but whether he had any reason to know that Cardinal Antonelli, in a despatch to Monsignor Chigi, had declared that the representation made by Mr. Odo Russell was incorrect with respect to what had taken place; and that so much inconvenience had in consequence arisen that Mr. Russell was not to be recognised in any official capacity, and was merely to be considered as a private person having no more authority than any other private individual. The question really was, whether a person accredited by the British Government, and charged by them to speak in their name, was not to be so received, but was merely to be regarded as a private individual.

EARL RUSSELL said, it was, of course, impossible that he could have received such a communication from Cardinal Antonelli—and Mr. Russell had not said a single word on the subject, though he had only just lately received a private letter from him.

DURHAM UNIVERSITY COMMISSION.

OBSERVATIONS.

THE BISHOP OF EXETER called attention to the fact that the Ordinances relating to Durham University had been laid on the table sixteen days before the close of last Session. The Act of Parliament provided that they should lie on the table for forty days; and if in that time an Address were not carried by either House of Parliament requesting Her Majesty to withhold her consent, the Queen in Council was empowered to confirm the Ordinances. He wished to know whether it was intended that the forty days were to be forty continuous days, or whether it would be deemed a sufficient compliance with the statute if they remained on the table unchallenged sixteen days of last Session and twenty-four days of the present?

THE LORD CHANCELLOR said, that the question raised by the right rev. Prelate was one of considerable importance. He was of opinion that the forty days must be taken to mean forty Sessional days; injustice might otherwise result, if Ordinances were laid on the table a few days before the recess, and were, by lapse of time, confirmed at a period when an opportunity of objecting to them could not be afforded. That the forty days should be continuous days would require stronger expressions than were to be found in the statute, and, as he understood the Act, they were to be forty Sessional days, and therefore the sixteen days of last Session would count in the present case.

THE BISHOP OF EXETER said, that as to-morrow would be the last day on which Parliament would be able to deal with this question, he begged to give notice that he should then move an Address to Her Majesty praying Her Majesty to withhold her confirmation from the Ordinances of the Commission of the Durham University.

House adjourned at a quarter before Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 26, 1863.

MINUTES.]—NEW MEMBER SWORN.—For Lisburn, John Doherty Barbour, esquire.

SUPPLY.—Navy Estimates, Resolutions 1 to 9 *agreed to.*

SELECT COMMITTEES.—On Ordnance, *nominated.*

Reports.—Public Petitions, *Fifth Report;* Railway and Canal Bills, *Second Report* [No. 50].

PUBLIC BILLS. — *First Reading.* — Marriages Registration (Ireland) [Bill 39]; Marriages, &c. (Ireland) [Bill 40]; Diseases Prevention (Metropolis) [Bill 41]; Salmon Exportation [Bill 42].

Second Reading.—Post Office Savings Banks [Bill 22]; Bills of Exchange and Notes (Metropolis) [Bill 33].

Committees.—Telegraphs Bill [Bill 16]; Malt Duty [Bill 20].

Reports.—Telegraphs Bill [Bill 38]; Malt Duty [Bill 37].

Third Reading.—Prince and Princess of Wales' Annuities [Bill 30]; and *passed.*

Bill withdrawn.—Marriages (Ireland) [Bill 32], Order for Second Reading *discharged.*

THE CASE OF PATRICK BOURKE.

QUESTION.

LORD JOHN BROWNE said, he wished to ask the President of the Poor Law Board, Whether, in the promised inquiry into the circumstances attending the removal of Patrick Bourke from Leeds to Westport, he has taken any steps to secure the attendance of a representative of the Irish Poor Law Commissioners?

MR. C. P. VILLIERS replied, that the day after the noble Lord had brought the matter before the House he (Mr. C. P. Villiers) received the papers connected with the subject from Ireland, and he sent them forthwith to the Guardians at Leeds for their explanation. He had only that day received their answer. The Guardians took issue upon almost every fact stated in the papers, and professed their perfect readiness to enter into the fullest investigation of the case, and assist in every way in laying before the Board and Parliament all the facts connected with the case. It would be open to the noble Lord to see their answer, and he might then determine for himself whether any further inquiry was necessary. The ordinary course was to direct an Inspector to proceed to the spot and hold an open inquiry into the matters in question. If that were done, it would be in the power of the noble Lord to send any person he thought proper to watch the evidence and take such steps in the inquiry as he might think necessary. If the noble Lord thought further inquiry were necessary, he (Mr. C. P. Villiers) would then direct notice to be sent both to him and to the Poor Law Commissioners of Ireland of the place and the day when and where the further inquiry would take place.

BOOK POST TO INDIA AND CHINA.

QUESTION.

COLONEL SYKES said, he rose to ask the Secretary to the Treasury, On what grounds British manufacturers and others are prohibited from transmitting to India and Hong Kong specimens of textile fabrics of British Manufacture under the Book Post restrictions, as they are permitted to transmit them to France and elsewhere?

MR. PEEL replied, that with the single exception of France, as to which a special arrangement was made at the beginning of 1861, the Post Office did not undertake to carry, under the regulations of the Book Post, specimens of textile fabrics or any other trade patterns. He had no doubt that a general adoption of the principle would be beneficial to commerce; but he was told that there were considerable difficulties in the way, and it must depend upon the removal of those difficulties whether the Book Post could be made available for patterns.

REGISTRATION OF ASSURANCES.

QUESTION.

SIR EDWARD GROGAN said, he wished to ask the Chief Secretary for Ireland, If he intends to introduce any Bill for the Registration of Assurances during the present Session?

SIR ROBERT PEEL replied, that a Bill had been prepared by the Government, and it would be introduced immediately.

THE LICENSING LAWS.—QUESTION.

MR. LAWSON said, he would beg to ask the Secretary of State for the Home Department, Whether, the House having rejected the Liverpool Licensing Bill, he is prepared to introduce a general measure for amending the Licensing Laws?

SIR GEORGE GREY said, in reply, that the rejection by the House of the Liverpool Licensing Bill had tended rather to retard than to accelerate the introduction of a general measure. Several material points in connection with the subject were still under consideration, but he could not at present give a positive promise with regard to the introduction of a Bill.

THE NIGER EXPEDITION.—QUESTION.

LORD ALFRED CHURCHILL said, he wished to ask the Secretary to the Admiralty, Whether any Report has been received from Lieutenant Lefroy, commanding Her Majesty's Ship *Investigator*, of his recent expedition in that ship as far as Rabba, on the river Niger, 400 miles into the interior of Africa, and of his return, after seven weeks' absence, without the loss of a man from fever or other cause; and whether he would have any objection to lay that Report upon the table of the House?

LORD CLARENCE PAGET, in reply, said, there would be no objection to lay the Report in question on the table, if the noble Lord would be good enough to move for it. He understood it would be printed in the next *Gazette.*

BURMESE PRIZE MONEY.—QUESTION.

COLONEL NORTH said, he wished to inquire, Why the Prize Money earned in the Burmese war, which terminated ten years ago, has not been paid?

SIR CHARLES WOOD said, there had been some mistake with regard to the distribution of the Burmese prize money, the causes of which he could not quite ascertain. The Warrant, authorizing the distribution, was sent out in October, 1860. In 1861 there was an announcement made in India that no application would be received after the end of that year, and in conformity with that order a similar notification was published in this country. The Government had every reason to suppose then that the distribution would take place at once, but they discovered accidentally in September last, in reference to some question as to the Delhi prize money, that the distribution of the Pegu prize money was delayed in consequence of their not having received the prize roll of the naval force employed in Burmah. Steps were immediately taken in connection with the Admiralty to procure a roll of the men entitled to share in the distribution; the roll was sent out in the course of the autumn, and he hoped there would be no further delay in the distribution.

UNION RELIEF AID ACT (1862) CONTINUANCE BILL—[BILL 17.]

QUESTION.

In reply to Mr. COBDEN,

MR. C. P. VILLIERS said, the Union Relief Aid Act (1862) Continuance Bill was not likely to be reached that evening till an hour which would be inconvenient to many hon. Members who had Amendments to propose; arrangements had therefore been made for taking the Bill first on next Monday evening.

THE ROYAL LEVEES AND DRAWING ROOMS.—QUESTION.

MR. STURT:—I wish, Sir, to ask Her Majesty's Government a Question, but I am somewhat at a loss to know to what individual Member of the Government I should address it. I wish to ask the Government, Whether it is their intention to introduce any regulation by which Her Most Gracious Majesty's subjects, and more especially the stout portion of them, may attend the Levees and Drawing Rooms with decency and comfort, and without the risk of being squeezed to death?

There was no answer given to the Question.

BARRISTERS (IRELAND) BILL.

[BILL 31.] QUESTION.

THE SOLICITOR GENERAL said, he rose to ask the hon. Member for the King's County to postpone this Bill until after Easter.

MR. HENNESSY, in reply, said, to meet the convenience of the Government, he would postpone the Bill until after Easter.

BREACH OF PRIVILEGE.

SIR FREDERIC SMITH and LORD CLARENCE PAGET rose together.

LORD CLARENCE PAGET: I wish to make an appeal to my hon. and gallant Friend—[*Cries of* Order! *amid which the noble Lord resumed his seat.*]

Mr. SPEAKER: Does the hon. and gallant Member give way?

Sir FREDERIC SMITH: I am quite ready to go on. I have no feeling but that of doing my duty as a Member and upholding the dignity of the House. The noble Lord was getting up to make some statement in reference to the breach of privilege of which I complain; and if the noble Lord is prepared to make an apology on the part of the party offending to the House, and to me, I am the last man to stand in the way, so long as my honour and the honour of the House are safe. It is in the recollection of the House that we had a debate two nights ago on the subject of the Naval Estimates, and that in the performance of my duty I then made some comments on an appointment by the Board of Admiralty which appeared to me to be open to grave question. I thought that in making those remarks I had guarded myself against saying anything unkind or ungenerous. I asked whether or not the gentleman who was appointed Chief Constructor of the Navy had ever built a ship; and I said, that if not, the appointment was, in my estimation, a very dangerous and improper one, because the Constructor of the Navy will have the control of all the dockyards in the service, and if he be incompetent to teach those whom he has to direct, all discipline will fall to the ground. I stated, also in correction of my noble Friend (Lord C. Paget), that the gentleman in question had really not been a member of the College of Naval Architecture. At first I believed he had, because there was a Mr. Reed who was a member of that College, with Mr. Chatfield and Mr. Creuze, and when Mr. Reed was appointed I believed him to be that person. It is now certain that he is not that person, but that he was brought up as an apprentice, at first at Sheerness, then at Portsmouth, and also, but of this I am not quite sure, at Chatham. He was, however, a mere apprentice. I am glad to find a person in that position raising himself up. I myself have risen in the service and in position, and no one is more glad than I am to see others do so. However, this gentleman, as I have said, had really been merely an apprentice of the working class, and was at the School of Mathematics at Portsmouth. There he acquired a knowledge of mathematics. He is a very talented man, I have not the least doubt, but he never was a member of the College of Naval Architecture, and he never had, so far as I am aware, a knowledge of naval architecture, fitting him for the prominent post which he now occupies. As a Member of Parliament, I think I had a fair right to criticise the appointment. I am sure I would not do it invidiously. I should be the last man to bear hardly on him; and if he had been appointed to a junior office, with a prospect of rising to a higher position, no objection would have been made. But to place him at once at the head of all the constructors of the navy I think is hardly fitting. These are the statements I made. I have since read the report of my speech in all the leading journals, and I can find nothing that goes beyond what I have described. I also said I did not believe Mr. Reed had acquired that amount of practical experience which would enable him to discharge his duties with advantage to the country. Under these circumstances I was never more astonished in my life than when I received yesterday morning a letter from Mr. Reed, whom I never saw, and of whom I know nothing except in his public character. That letter is as follows:—

"10, Glen Mohr Terrace, Greenwich,
"February 24.

"Sir,—In the House of Commons last evening I heard you deny that I had belonged to the Admiralty School of Naval Architecture, which, though true verbally, inasmuch as the school was entitled 'School of Mathematics and Naval Construction,' is calculated to convey a most false impression, inasmuch as the school in question was, in fact, a school of naval architecture, inferior in no respect to that which bore the name previously. Further, I heard you state that I was without a proper knowledge of my profession; in fact, that 'I knew nothing about the matter.' Now, I call upon you to say why you made this false and libellous statement concerning me in your place in Parliament, and on what grounds you justify, or attempt to justify, it. I beg to assure you that I have not sought the appointment which the Admiralty have given to me, and I think you are bound, if you feel called upon to put forward the claims of a constituent of yours as superior to mine, to do so without subjecting me to personal abuse in a place where I can have no opportunity of answering you.

"I am Sir, yours very truly,
"E. J. Reed.

"To Sir Frederic Smith, M.P."

Now, first of all, it is quite clear he alludes to Mr. Lang. I believe no person knowing Mr. Lang can doubt that he is the best naval architect you have, perhaps the best in the world. But Mr. Lang is not, and never was, a constituent of mine. Mr. Lang never was and never will be, on the register of voters for the borough of Chatham. I trust the House will feel with me that a Member of Parliament ought not to be subject to attacks of this kind in the performance of a simple duty. I can assure the House, and Mr. Reed, that I have no ill-will whatever against him. I should be glad to see him rise in the profession, and if he is appointed by the Government, I hope he will succeed and be useful to the service. But if we are to be deterred in the performance of our duties in a matter of this kind, the House of Commons will be degraded. I, for one, cannot stand under the stigma of having used false and libellous words, when the exact expressions attributed to me by this gentleman never passed my lips. I can find no trace of them; but if I did not use them, then I am ready to do so now, therefore Mr. Reed will get nothing by his letter. I now say, what I said before, that if Mr. Reed has never constructed a ship his appointment is improper, because I believe he cannot be competent practically to carry out the business of the dockyards. I was about to move that Mr. Reed be called to the Bar. But my noble Friend has proposed that I should take no steps in the matter until I had waited for an apology, which the noble Lord says has been written. [*Cries of* Move!] If such an apology has been written, no doubt that will be satisfactory. [*Renewed cries of* Move!] If such be the wish of the House, I will move that Mr. Reed be called to the Bar.

MR. SPEAKER: The hon. Member having brought under consideration a document which he considers a breach of privilege, will be so good as to bring it to the table.

SIR GEORGE GREY: Sir, I do not think it is usual to make a Motion to call a gentleman to the Bar until the House has first decided that the document amounts to a breach of privilege. I express no opinion upon this point myself, but I think the first Motion should be that the document is a breach of privilege.

SIR FREDERIC SMITH: I beg to move that the document is a breach of the privileges of this House.

LORD CLARENCE PAGET: Sir, no one can, I presume, dispute, that a distinct breach of privilege has been committed, and that the letter was a most improper one. But my hon. and gallant Friend, before he brought the subject under consideration, was good enough to show me the letter, and also to state, that if I could get up and assure the House that Mr. Reed would be prepared to make a proper and ample apology, he would not push the matter further. My object in rising, a while ago, was to induce my hon. and gallant Friend to put off the matter until I should see Mr. Reed, and procure a suitable apology for such improper conduct. ["No, no!"] I again appeal to my hon. and gallant Friend.

MR. ROEBUCK: Sir, the attack, such as it is, has been made upon this House, and the apology, if any, ought to be made at the Bar of this House.

Motion *agreed to.*

Resolved, That the said Letter is a breach of the privileges of this House.

SIR FREDERIC SMITH: I now move that Mr. Reed be called to the Bar of the House on to-morrow.

Motion *agreed to.*

Ordered, That E. J. Reed do attend this House *To-morrow.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE NAWAB OF THE CARNATIC.

RESOLUTION.

MR. H. BAILLIE said, he rose to submit the following Resolution:—

> "That, whereas by a Royal Proclamation addressed to the Native Princes and Peoples of India, published the 1st day of November, 1858, it is stated 'That we desire no extension of our present territorial possessions, and while we will permit no aggression upon our Dominions or our Rights to be attempted with impunity, we shall sanction no encroachment in those of others;' and again, 'We hereby announce to the Native Princes of India, that all Treaties and engagements made with them by or under the authority of the Honourable East India Company, are by us accepted, and will be scrupulously maintained;' so, in the opinion of this House, where differences of opinion have arisen with respect to the interpretation of such Treaties, the questions at issue ought to be referred for decision to Her Majesty's Privy Council."

He brought forward the Motion with much regret, because he was aware that Indian questions were distasteful to the

House; but, believing that the honour of the Queen had been compromised by the conduct of the Government, it became a matter of duty to bring the subject under the notice of Parliament. When Her Majesty's Government were advised to assume the direct administration of Indian affairs, a great responsibility was cast upon the Crown. Her Majesty had no Parliament in India to counsel her in the administration of the government of that country. The Parliament of England was both disinclined to discuss Indian questions and unable to appreciate the opinions and feelings of the people of India. It was for these reasons that the Ministers who were in office when the transfer of the government of India to the Crown was made, advised Her Majesty to issue a proclamation to the Indian Princes and people, informing them not only that Her Majesty was about to assume the direct government of their country, but also what were the principles upon which, for the future, that government was to be conducted. That proclamation was issued at a time of great public danger, when the rebellion was still in progress, and when large bodies of Indian troops were still in arms against Her Majesty. The effect of that proclamation was very remarkable, and he did not hesitate to say that it had contributed very greatly to the pacification of the country, and he was sure the House would feel that the promises made by Her Majesty, under such circumstances, ought to be faithfully and honourably fulfilled. Now, what were the promises made in that proclamation? That proclamation promised to the people of India that their ancient laws and customs should be preserved to the native princes; it promised not only that no spoliation of territory should in future take place, but that all the treaties which had been made by the East India Company with the native princes should be faithfully and honourably maintained. Had those promises been fulfilled? He charged the right hon. Gentleman the Secretary of State for India with violating those promises. He knew it was a very serious charge, for it involved the honour of the Crown, and he should not make it lightly or without due consideration. He made it advisedly, and he was prepared to demonstrate its truth. The case which he was about to bring under the notice of the House was that of the Nawab of the Carnatic, but the House should not suppose that this was a solitary case. There were many cases of violations of treaties and of spoliations of territories, but they occurred during the administration of the East India Company, and there would be great difficulty now in going back to those transactions. But the case which he was about to bring under the notice of the House had occurred during the last days of the Company, had been since referred to the right hon. Gentleman the Secretary of State for India, he had reviewed it, and confirmed what the Company had done. In taking that course the right hon. Gentleman had violated the promises made in Her Majesty's proclamation. The case of the Nawab of the Carnatic was this. The Nawabs of the Carnatic were princes of that part of India previous to the advent of the British. At the time when the East India Company's possessions were confined to the factories of Madras and Cuddalore, and when they were contending with the French for their very existence, the Nawab gave them the most effective aid both in money and troops, and continued to assist them in all their wars down to the close of the last century. In order that the House might appreciate the debt of gratitude the East India Company owed to the Nawab, he would read a few extracts from the official correspondence of that period. Sir Thomas Rumbold, in 1780, said—

> "The first and most distinguished of our connections is that which has been long formed with the present Nabob of the Carnatic. Our influence in the Carnatic is founded on the free will and consent of the Nabob. It is unquestionably to his influence in the Carnatic that we are indebted for a great part of our prosperity—for our success against the French during the last war, to which, as affairs have since turned out, we owe perhaps our present existence in the East."

Such was the avowal of the Governor of Madras in 1780. In spite of that friendship and alliance, however, the Nawab was compelled by Lord Wellesley, in 1801, to sign a treaty by which he surrendered four-fifths of the revenue of his territory to the East India Company, on condition that the remaining fifth part should be secured for the maintenance of his dignity and that of his family. That violent proceeding on the part of Lord Wellesley was justified on the ground of some treasonable correspondence said to have been carried on with the Mysore Princes; but the facts were never proved, and the charge was denounced in the House of Commons in 1808 by Mr. Sheridan and Sir Samuel Romilly as frivolous and without the shadow of a foundation. Mr. Sheridan called upon the ex-Chief Justice of Bengal (then a Member of the House) to declare whether a man could be convicted upon such evidence in a court of justice, and he emphatically declared that he could not. It was upon such frivolous pretexts that Lord Wellesley despoiled the Nawab of four-fifths of his territory; and it remained for the right hon. Gentleman the Secretary of State to despoil him of the remainder upon grounds still more frivolous and unjust. The Treaty of 1801 was faithfully and honourably maintained by the East India Company for a period of upwards of fifty years. At the expiration of that time, in the year 1855, the Marquess of Dalhousie, being Governor General of India, publicly proclaimed what has been called the annexation policy, which was eagerly adopted by the East India Company because it promised them a large accession of revenue. In his celebrated minute the Marquess of Dalhousie expressed the opinion that it was sound policy to take every opportunity of annexing the territories of native princes, so that India might be governed by one central authority. Acting on this principle, when the Nawab of the Carnatic died in 1855, he sent orders to the Governor of Madras to take possession of the territory, declare the nawabship to be at an end, and to seize on all the property, public as well as personal, of the family. The Marquess of Dalhousie justified this renewed act of spoliation on the singular ground that the Treaty of 1801 was a personal treaty, having reference only to the Nawab who signed it, and, as that Nawab had died, the treaty ceased to exist, and the Company could deal with the territory as they pleased. It did not appear to have suggested itself to the Marquess of Dalhousie, that if the treaty had ceased to exist, the Government had lost the only title by which it held any portion of the Carnatic territory, and that the whole must of necessity have reverted to the Nawab. That might be proved by the admission of the East India Company, for after the signature of the Treaty of 1801 the East India Company issued a proclamation requiring all the barons, noblemen, and gentry, the great officers of the Carnatic, to yield due obedience to them by virtue of the rights and powers acquired to the said Company by compact with the lawful Nawab of the Carnatic. That was a direct admission that their rights were acquired by the treaty. The interpretation put upon the treaty by the Marquess of Dalhousie did not convey the real meaning and intention of it; it was clearly intended by the Nawab to make over four-fifths of the revenue of the Carnatic to the East India Company for ever, on condition that the remaining portion should be guaranteed for ever to his family. And he would next proceed to show, by the most conclusive proofs, that such was the opinion of all the great officers of the East India Company up to 1855. The Nawab who signed the Treaty of 1801, Azeem-ul-Dowlah, died in 1819. Now, if the treaty had been considered as a personal one, that would have been the proper time for the East India Company to come forward and assert their rights. But what took place? His son, Azeem Jah, on the 11th September, 1819, was proclaimed as his successor, and on the 13th December of the same year the Nawab was informed by the Government agent, that in the opinion of the Governor General, a new treaty was unnecessary, as the Governor General considered his Highness to be *ipso facto* a party to the treaty concluded with his father in 1801. So that they had the Governor General of 1819, the Marquess of Hastings, directly at variance with the Marquess of Dalhousie in 1855. On the 3rd February, 1820, a few months afterwards, the Governor of Madras, Sir Thomas Monro, a great Indian authority, addressed a letter to the Nawab, in which this passage occurred—

> "It is with infinite satisfaction I have the honour to congratulate your Highness upon ascending the musnud in the direct line of hereditary succession to your late father, of blessed memory.

Sir Thomas Monro shortly after recorded his opinion in a minute as follows:—

> "By the 10th Article of the Treaty of 1801 the rank of the Nawab as a prince and as an ally of the British Government is declared. No change in the political situation of the Nawab has taken place since 1801. He is still Prince of the Carnatic, and he is a party to the treaty by which one-fifth part of the revenue is secured to him; without a breach of the treaty we cannot, except with his consent, alter any of the articles."

That was a quotation from Gleig's *Life of Sir Thomas Monro*. Nothing could be more clear and decided than this opinion. Upon the death of this prince, who reigned but six years, he was in due course succeeded by his son, and this succession was announced as follows:—

> "Mahomed Ghouse, only son of his Highness Azeem Jah Bahadoor, was on the 22nd December, 1825, proclaimed successor to his deceased father in the rank and title of Nawab Subhadar; during the minority of the Nawab the affairs of the Durbar will be conducted by his Highness Azeem Jah Bahadoor, brother of the late Nawab, with the title of Naib-i-Mooktar, or Regent."

And thus, with the consent of the East India Company, the present claimant was appointed Regent during the minority of his nephew. In a letter of the Honourable Court of Directors of January 14, 1829, it was said—"The Nawab being an infant and in declining health, and the Naib-i-Mooktar being next heir in case of his demise." That was a direct acknowledgment of his right of succession. Again, the Directors, on the 4th of July, 1824, expressed their approval of certain proceedings on the ground of the Naib-i-Mooktar being heir in case of the demise of his nephew, Gholam Ghouse Khan. He now came to a later period—namely, 1843. On the 20th of September, 1843, on the occasion of a question of precedence, the Governor of Madras, the Marquess of Tweeddale, again expressly recognised Prince Azeem Jah's right to the succession. His Lordship in Council observed, that—

> "His Highness Prince Azeem Jah Bahadoor does not hold the place in list No. 1, to which he is entitled in consideration of the position he lately occupied in communication with the British Government, and of that he still holds in relation to his Highness the Nabob and to his succession to the Musnud."

He (Mr. H. Baillie) had now shown what was the opinion up to 1855, not only of the East India Company, but of all its officers, and yet the regent's claim had been set aside by the Indian Government. If that mode of dealing with native princes was to be tolerated, there was not a native prince in India who held a treaty which was worth the paper on which it was written. Take the case of the Rajah of Putteeala, who had rendered efficient services, and had perhaps saved India to the British Crown. The Rajah died a few months ago, and supposing the Governor General had been a disciple of the Marquess of Dalhousie, he would have written a letter stating that the treaty was a personal one, and that the death of the Rajah put an end to it, and would have seized his property on behalf of the Government. Had the Governor General done so, his conduct would, no doubt, have been severely condemned; and yet it would not have been a whit worse than the behaviour of the Indian Government in the case he had just cited. He was ashamed to be compelled to expose, not only to his fellow countrymen, but to the nations of Europe, the iniquities of that system of administration which so long prevailed under the East India Company, sanctioned by the Government of this country. It was a system of fraud, violence, and spoliation, carried on under the hypocritical mask of honesty and virtue, which for impudence and unscrupulousness was without a parallel or example in history. The day of retribution for the Company came at last. Let the House beware how, by its inattention to Indian questions and its disinclination to discuss Indian affairs, it allowed full scope to a Minister to continue a course similar to that which had been pursued. A day of retribution might again arrive. Even at that time, thousands of people in India were anxiously waiting for the decision of the House on the question. Last Session he presented a petition signed by 15,000 landowners of Madras, praying the House to allow cases to be decided by the Privy Council, a tribunal in which every confidence was placed. It was not only the people, but also the princes, who were waiting for the decision of the House, in order that they might know whether the treaties they held were worth the paper on which they were written; whether the gracious proclamation of Her Majesty was to be regarded as a reality or only as an empty form of words, issued at a time of great public danger, and intended to mislead and deceive; and whether for the future the government was to be conducted on just and honourable principles or like that of the East India Company. He did not call upon the House to decide anything, or to pronounce an opinion as to whether he had given a right interpretation of the treaty, or whether the right interpretation was that given by the Government. All he asked the House to do was to express the opinion, that when such questions arose, they should not be decided by the Minister for India, who was an interested party, but that they should be referred to Her Majesty's Privy Council, whose decision would give satisfaction, because it was admitted by the natives of India to be a fair and just tribunal. The hon. Member concluded by moving his Amendment.

Mr. SMOLLETT said, he rose to second the Motion. He did so on the general principle that, for the last twenty years, the treaty engagements entered into with the princes of India had not been carried out faithfully by the British Government. It was of no use denying the fact, for it was notorious; that one of the principal causes of the rebellion of 1857 was the treatment which the native princes of India received from the government of the Marquess of Dalhousie, and the well-founded conviction that not the least reliance was to be placed on the faith, or the honesty, with which treaty engagements would be carried out under the Marquess of Dalhousie. Unfortunately, immediately ofter his inauguration as Governor General, the Marquess of Dalhousie laid down the preposterous dictum that it was the right of the British Government to take possession of any territory whenever a fitting opportunity should arise; and he constituted himself the judge as to the fitness of any opportunity. He acted upon this dictum consistently and invariably, and it was that policy, as he (Mr. Smollett) believed, which mainly contributed to the rebellion. He would not mention every lawless act, but he would briefly notice some of the prominent cases in which the princes of India were summarily and contemptuously set aside. Shortly after the Marquess of Dalhousie's arrival, in 1848, a "fitting opportunity" occurred. The Rajah of Sattara died, having on his death-bed adopted a son and successor from among his collateral relations; but the Marquess of Dalhousie repudiated the right of any native prince to adopt a son; and the Treaty of 1819, which defined our relations with the state of Sattara, and stipulated that the full sovereignty was vested in the Rajah, his heirs and successors in perpetuity, was set aside. The second case was that of the Rajah of Nagpore, who died childless, in 1853, and who had not adopted a son, probably because he knew the adoption would be set aside by the Governor General; but the Rajah left behind him one or more widows, several relations, and a considerable private fortune. In this case the Marquess of Dalhousie not only annexed the territories, but seized the private possessions, which he confiscated to the State. He seized all the jewels, bijouterie, and valuables, and sent them to Calcutta, where they were brought to the hammer at an auction mart. That act disgusted all the natives of India, and it was an act which was mischievous in itself and disgraceful to the British rule in India. The third case of the non-fulfilment of treaty occurred in the annexation of Oude. There was, in 1856, a reigning sovereign, and there was no chance of any lapse of succession. The state, however, was a large and valuable one, and the Marquess of Dalhousie considered the lax rule of the kingdom a sufficient cause for annexation. There was a treaty with the kingdom of Oude which defined our relations with that kingdom. It had been entered into and acted upon by Lord Auckland, in 1837. It laid down the rule that in all cases of sudden emergency, and if in cases of trouble the British Government should feel it necessary to interfere, they should do so and assume the administration; but the treaty bound the administrators to keep correct account of the revenues for the benefit of the reigning family. When the King referred to the treaty in answer to the demand that he would cede his territories, the Governor General asserted that the treaty was obsolete, and that it had been abrogated, because one of the clauses had been considered to trench too deeply on the rights of the native Royal Family and had been disallowed by the Court of Directors. It so happened that that very treaty had been laid on the tables of the Houses of Lords and Commons by command of Her Majesty, in 1853; and when the fact was stated, the Marquess of Dalhousie replied, that it must have been done through the inadvertence of a clerk. On that pretence the treaty with Oude was set aside, and the country was annexed to the Crown, on the broad ground that the people were sighing for British rule, whereas in the year after the whole country rose as one man to put down the administration which the Marquess of Dalhousie had instituted, and to endeavour to recover their independence. The other cases he would refer to were those of the Rajah of Tanjore and the Nawab of the Carnatic. They were protected princes who had ceded their territories under treaties which bore the same date—1800 or 1801. Both treaties were based on the same principle. The Rajah of Tanjore ceded his dominions on condition that his debts should be paid, and that he should receive one-fifth of the net receipts of his principality; and a similar bargain was made with the Nawab of the Carnatic. In 1855 the Rajah of Tanjore died, leaving behind him several wives and two daughters, but no lineal heirs male. The Marquess of Dalhousie was in Madras at the time, and he gave immediate orders to the Government of Madras to declare the Raj extinct. He would not allow that heirs female came under the words of the treaty —"the Rajah and his heirs and successors." But he did a great deal more than declare the Raj extinct. Under the arrangements of the treaty the Rajah and his family had been receiving £60,000 or £70,000 a year for fifty-five years, and they had acquired a large amount of private property in lands, houses, jewels, &c., valued at £400,000 or £500,000. The Marquess of Dalhousie declared that all these were confiscated, and that the Rajah had no right whatever to private property. The government of Madras sent an officer to take an inventory of the property, with a view to its being sold and the proceeds applied to the public account; but the family had recourse to the protection of the British Law, and obtained an injunction from the Supreme Court of Madras to prevent the sale. The Government of India appealed to the Privy Council, the case was argued in London, and Lord Kingsdown, in giving the decision, stated that the authorities in India had acted in a violent and unjustifiable manner; though, as their agents had proceeded professedly under a treaty, a court of law had no jurisdiction in the matter. Fortified with that decision, Sir Charles Trevelyan proceeded to dispose of the property, but his council luckily interfered; the course of spoliation was stopped; the case was brought before the House of Commons, where the Secretary of State promised that justice should be done to the family, and he had now great pleasure in stating that all the private property of the late Rajah had been returned to its rightful owners. In the case of the Nawab of the Carnatic, the family had received an allowance under the treaty; and three generations passed without any mention being made of the treaty being a personal one. The last possessor of the allowance was a young man who had been our ward from the age of two years, and whose education had been entirely neglected, the allowance having been wasted during his minority. He died childless in 1855; but an uncle of his had been received by us with regal honours at the Government House at Madras for twenty-five years, and recognised as the heir presumptive of his nephew. Notwithstanding, his undoubted claims, the Marquess of Dalhousie set aside the treaty on three grounds. The first was the alleged treason of the great-grandfather and grandfather of the claimant; and the second was that it was a personal treaty, that the last possessor had died without heirs male—for he would not admit that the uncle could succeed to the nephew. The third, and most probably the true reason, was that the late Nawab had been a spendthrift, and had set a bad example to his dependents by the manner in which he got rid of his allowance. On these frivolous pretences, the treaty, which had been observed for fifty-five years, was set aside, and the family turned adrift to starve. It was no wonder, then, that the people in India had come to have no faith whatever in our adherence to treaty obligations, seeing that Governor Generals could arbitrarily set aside successions in this way. He therefore hoped the Motion, if opposed, would be pressed to a division. It might be said that it was of no use closing the stable door when the horse had been stolen, and there was some truth in that; or it might be said that there was no use in referring these questions to the Privy Council, because the treaties were so clear that "he who runs may read;" but there was a want of honesty in men of high position, and it was because he had no confidence in men like the Marquess of Dalhousie when invested with large arbitrary power, because he wished to see such cases as those he had mentioned decided by legal gentlemen who would not be moved by the breath of faction or actuated by political motives, that he had the greatest possible pleasure in seconding the Motion of his hon. Friend the Member for Inverness-shire.

Amendment proposed.

To leave out from the word "That" to the end of the Question, in order to add the words "whereas by a Royal Proclamation addressed to the Native Princes and Peoples of India, published the 1st day of November 1858, it is stated 'That we desire no extension of our present territorial possessions, and while we will permit no aggression upon our Dominions or our Rights to be attempted with impunity, we shall sanction no encroachment in those of others;' and again, 'We hereby announce to the Native Princes of India, that all Treaties and engagements made with them by or under the authority of the Honourable East India Company are by us accepted, and will be scrupulously maintained;' so, in the opinion of this House, where differences of opinion have arisen with respect to the interpretation of such Treaties, the questions at issue ought to be referred for decision to Her Majesty's Privy Council,"

—instead thereof.

SIR CHARLES WOOD said, it was a convenient practice in that House, when a Motion was about to be introduced, that some intimation should be given of the matters which were to be brought under consideration, but certainly by the words of the present Resolution little intimation was afforded him that the hon. Gentleman intended to enter into details relating to the Carnatic from the year 1760 downwards, and still less that he should be called upon to defend, not his own acts, but acts that had been the subject of debate in that House for thirty or forty years past. It was true that the hon. Member had informed him, a short time before he came down to the House, that he should refer to the case of Azeem Jah; but he (Sir C. Wood) had not had time since then to acquaint himself with these former matters, nor did they bear much upon the question they had to discuss, and it would scarcely be expected that he should go into the Sattara and other cases on which the House had, on former occasions, expressed its opinion, and on which he did not think much could be added to what had been said before. But, first, with reference to the general question, what the Queen undertook by Her Proclamation to do was correctly stated in the Motion. The words were—

> "That we desire no extension of our present territorial possessions, and while we will permit no aggression upon our dominions, or our rights, to be attempted with impunity, we shall sanction no encroachment in those of others, and we hereby announce to the Native Princes of India that all treaties and engagements made with them by or under the authority of the Honourable East India Company are by us accepted, and will be scrupulously maintained."

The treaties entered into before the assumption by the Crown of direct authority over India were simply put on the footing of all other treaties made with the Crown, and he apprehended they must be treated precisely in the same way. If, therefore, it was proposed that all treaties—when a question arose regarding their construction—should be submitted to the Judicial Committee of the Privy Council for interpretation, all he could say was he did not think that would be a convenient or constitutional mode of determining such matters. All treaties must be left to be dealt with, as they now were universally, by other nations as well as our own. The Judicial Committee of Privy Council were not responsible advisers of the Crown in cases of this kind. Ministers referred in such matters, if they thought it necessary, to their Law Officers, and in any particular instance the House might express its opinion on the conduct which the Government pursued. But on all questions arising with other Powers, independent or *quasi*-independent, the Government must act on their own responsibility, subject to the control of Parliament, and they could not shift that responsibility to the Judicial Committee of Privy Council. He apprehended, then, that on the general ground, the House could not possibly accede to the principle that the interpretation of treaties should be subject to the opinion of that tribunal. He now came to the main case brought forward by the hon. Gentleman. From the observations of the hon. Member it might be supposed that the prince in question was a native ruler exercising rule and authority in some part of India, and that he really had some territories which the Marquess of Dalhousie could have directed to be seized. But the fact was that the Government of India in 1801 took possession of the territories of the Carnatic, and the then Nawab was reduced to the rank of a pensioner at Madras, where he and those placed in a similar situation for the last fifty-five years had resided under superintendence —a mode of life not very advantageous either to the State or to themselves. As to their having the slightest control over any portion of the territory of India, with any single person to govern in any way whatever, it was a total and entire mistake. The House, therefore, might dismiss at once all question of the annexation of territory. There were many reasons why he thought we should not annex native States. It was for our advantage that such States should be left in India. It was undesirable to annex those portions of India which were happy under the native rule of their princes. But there was no sort of similarity between putting an end to native rule over a native State, and the doing away with the very anomalous position of the pensioned princes, whether at Madras or Calcutta; and he frankly avowed that he thought, if that could be fairly done, without injustice or breach of faith, it was desirable to do it. The representatives of the Nawab of the Carnatic were in precisely the same position at Madras as the pensioned princes of Delhi had been at Calcutta. The late King of Delhi was, in some respect, connected with the mutiny and accessory to the murder of many subjects of the Queen at Delhi. For that he was tried and punished with exile, in which he died. Could anybody suppose that it was of the least advantage to that prince, his family, or the State, that he should have lived in a position in which he was exempt from all law, amenable to nothing but his own will and pleasure, with a certain number of dependents around him over whom he exercised a certain power and control? It was notorious that crime of every kind was rife in the palace at Delhi. He did not think the position of the Nawab of the Carnatic at Madras was very much better. Lord Harris in a despatch said he was convinced that a serious moral evil was caused by the continuance of this semblance of the pomp and state of an effete Royalty, which, while it did no good to these persons themselves, was capable of being made the nucleus of intrigue. That opinion was borne out by what occurred not long ago at Delhi, where the name of the Emperor was invoked by the mutineers, and the King, if not actually forced, was, at any rate, led into a participation in their schemes, whereas, if he had been in a different position, merely as a great nobleman with a large income, he might have now been living in peace and prosperity instead of dying in exile. With regard to the treaty to which the hon. Gentleman alluded, the expression he had spoken of referred to a great number of things, to personal property and other matters, but not to the territory or the right to the territory of the Carnatic. It was, he thought, of no use going back further than the year 1801, when we took possession of the Carnatic, and the treaty, which must be the basis of all that could be claimed, was concluded between the Nawab and the Indian Government. The treaty of 1801 was distinctly a personal treaty with the then Prince Azeem alone, and the Indian Government stipulated to provide him for his life with a certain income. The Marquess of Dalhousie distinctly stated that as an indisputable fact. The hon. Member said that in the Sattara case the stipulations were to the heirs and successors for ever. These words were not in the treaty of 1801; nor was their omission unintentional, because the Madras Government at first proposed that there should be some recognition of the hereditary successors, but the Indian Government decidedly refused to consent to it, and the terms were ultimately confined to the life of Azeem-ul-Dowlah. Thus there was no direct or indirect obligation entered into by the Government beyond his life. When he died, in 1819, the Government of Madras or the Government of India determined, as a matter of favour, to put his son in the same position as Azeem had occupied. The Government of Madras thought that a new arrangement was necessary for that purpose—that, the old treaty having expired, a new one should be entered into. But the Indian Government said "No;" and all they required was that the successor of Azeem should conform to the conditions imposed on his predecessor. In 1855 the second prince died, and the question arose whether it was desirable to continue that state of things any longer. He must distinctly say he believed that the existence of these pensioned princes, without power and authority, fancying that they had rights which some day or other they would enjoy, was the most inconvenient state of things, both for the Government and the princes themselves, that could possibly be conceived. And Lord Harris recorded deliberately his opinion that it was desirable to put an end to that state of things, making a liberal provision for the princes. The Marquess of Dalhousie took exactly the same view, not because there was territory to annex, for there was no territory to annex, and he determined to put an end to it. The hon. Gentleman had made an attack on him, as if he had contravened the Queen's Proclamation. But what had been done took place in 1855, long before he acceded to his present office. Undoubtedly, he had not taken active steps for reversing the state of things which he then found. The Queen's proclamation was a very wise proclamation, and the pacification of India might be, to a considerable extent, attributable to it. But he did not think that that proclamation called upon him to undo what was done fifty or sixty years ago, and thereby throw everything in India into confusion. He was happy to say that he believed the princes of India were pleased and contented with what had been done for them of late years, and we had now a prospect of tranquillity in India such as had not been enjoyed for many a year back. He might also remark, that as his hon.

Friend took so strong a view of this case, it was strange that something was not done during the time that he was Secretary to the Board of Control. Azeem Jah, the person to whom the hon. Gentleman chiefly alluded, had not been illiberally treated. He was put by Sir Charles Trevelyan in the position of a great Indian nobleman, with an income of £15,000 a year assigned to him. The obligations of the treaty expired in 1819, and whatever had been done since was an act of grace and favour. The Government was under no obligation to do what they had done, and he thought they had made an advantageous arrangement for the State and for the individual. That, however, was not the question before the House, but the question was whether the meaning of treaties was to be determined by the Privy Council, and he sincerely trusted that the House would not take so strange a course as to refer the treaties to the Privy Council.

COLONEL SYKES said, he concurred entirely in the opinion of his hon. Friend the Member for Inverness (Mr. H. Baillie) that in all questions of litigated rights an interested party should not have the power of decision, and least of all when one of the parties possessed great political and military power. Unfortunately, however, the reverse had been the case in all our proceedings with the native princes of India. But his hon. Friend having been at the Board of Control, knew perfectly well that the obloquy which was sought to be attached to the East India Company was in nine cases out of ten undeserved. That Company was represented by a Court of Directors who had the initiative and nominally the administrative power, but they were really overruled by another Board which had absolute power to control them, and that Board represented the Government of the day of the country. He agreed that in many cases the East India Company lent themselves to oppression, but he could bear testimony, from a seat in the Direction for nineteen years, that there were multitudes of instances in which they protested in the strongest manner against such cases of oppression as had been brought before the House by the hon. Member. The gravest case of oppression was practised towards the Ameers of Scinde. He raised his voice against the injustice that was done to those princes. If the secret records of the Court could be produced, they would show that there was a very strong protest on the part of the India Company against the appropriation of the territory of Scinde. He might say the same with regard to Sattara, and also with regard to Oude, a transaction which had cast a stigma upon the country. Many of the difficulties had arisen from the utter ignorance of those who overrid the Court of the real relations between the dependent princes and the paramount Power. He had frequently, at the discussions of the Directors of the Company, advocated earnestly that there should be some tribunal provided to arbitrate between those who considered themselves oppressed and those who ruled.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 104; Noes 24: Majority 80.

HASLAR HOSPITAL.—EXPLANATION.

SIR JOHN HAY said, he wished to state that upon further inquiries he had ascertained that there was no trace at Haslar Hospital of the loathsome disease, which he had referred to the other night as existing among the boys in training for the navy at that Hospital and in the training ships.

Main Question put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) £165,322, Admiralty Office.

MR. LINDSAY said, he desired to offer a few remarks in regard to the constitution of the Board of Admiralty, in which there was something wrong—perhaps more so than in any other department of the State. Hon. Members might not be aware what a vast machine the Admiralty was; certainly a large proportion of the public were not aware of the gigantic nature of its duties. The Admiralty was by far the greatest shipbuilder in the world, and there was evidence that they were the most expensive, if not the most extravagant, shipbuilder in the world. They were the greatest buyers of timber and ship stores. They were blacksmiths upon a gigantic scale. They were manufacturers of anchors, and a Committee had decided that the Admiralty anchors were the worst of any. They were constructors of boats and masts, and sails, and blocks, and ropes, and of innumerable other articles. They were great engineers, both civil and military. They were in one sense landowners, as they had the control and charge of the beds of all navigable rivers. They were great carriers by sea; and during the Crimean war the Department expended no less than £16,000,000 sterling in the transport of troops and stores. The Admiralty were also bakers upon a large scale. They were meat-curers—in fact, they were great provision merchants. They were, at the same time, iron-founders, joiners, builders, and architects. They constructed their own buildings and excavated their own docks. They had the largest shipping office in the world. They were also bankers, for they received deposits from seamen, and paid them by monthly orders to the seamen's wives, relations, and friends. In fact, the Admiralty was a most gigantic department, and therefore it behoved the Committee, before voting the money for its maintenance, to know how it was conducted. It was managed by a First Lord, four Lords who were always naval men, and one Lord who was usually a civilian, and by a Parliamentary and a Permanent Secretary. There were, besides, a Comptroller of the Navy, an Accountant General, a Storekeeper General, a Comptroller of Victualling, and the Director General of the Medical Department. All these were subordinate to the Board, though some of them received a larger remuneration than any member of it, save and except the First Lord. The question was whether such a constitution was best adapted to the management of these various matters. As a man of business he should say not. He had read the evidence taken before the late Committee and also the Royal Commission of 1861, and the conclusion he had arrived at was, that if unfortunately this country should suddenly be thrown into a great war with any European Power, the machine which controlled those great establishments would fall to pieces. Practically there was no one upon whom they could fix responsibility if things went wrong in any particular department. The Admiralty were only known as a Board, and although the duties might be subdivided there, they all knew how shadowy the responsibility of a Board was. There was no great department of the State in this or in any other country in Europe which was governed as the Admiralty was; and after careful consideration and study of the Reports of Committees he threw out as suggestions, whether they ought not to have one head at the Admiralty, just as they had one head for the Colonial, the Home, the War Departments, and for India. That head might be called the Minister of Marine; he should be a Secretary of State, and responsible to that House and to the country. He should have the appointment of six gentlemen — whether civilians or naval men would not matter, provided they were the best men who could be found. The first should be Controller of the Navy, whose duty it would be to superintend everything connected with the construction of ships, with hulls and spars complete. Under him, again, there should be some able men to analyse all the inventions which appeared available. Then would come a Storekeeper General, invested with control over all provisions, stores, and medical comforts. Next would come some person doing the duties of the present Sea Lord, to man the ships. The next officer would be a Director of Engineering and Works, who would be responsible for the construction of docks, &c.; the next would be an Accountant General, who would have the control of the finance and accounts; and, last of all, there would be an officer who should have the control of all matters which did not fall within the scope of the duties of the other five, such as the enforcement of foreshore rights, the protection of navigable rivers, &c. The Secretaries would remain as at present—one Parliamentary and the other Permanent—and they, together with the six members of this Committee or Council, would be subject to the Minister somewhat in the same way in which the members of the Indian Council were now subject to the Secretary of State for India. He would extend the system to the dockyards, the Admiral Superintendents of which had at present no power and no stimulus to induce them to study economy, and would also carry it out with regard to the Estimates. Although the form of the Estimates had been greatly improved since the noble Lord had become Secretary to the Admiralty, it was still far from perfect. Those Estimates were now presented to the Committee under seventeen heads. If his plan was carried out, as there would be six departments of the Admiralty, so there would be six heads of the Estimates, under each of which there would be divisions and subdivisions. The adoption of such a system would, he was sure, increase the control of the House over the Admiralty, and lead to increased economy and efficiency in that branch of the public service, while it would fix the responsibility upon one head.

ADMIRAL WALCOTT said, that though he must decline to commit himself to details, he could not but agree with the hon. Member that some change in the constitution of the Admiralty was necessary. Since 1828 there had been no fewer than fifteen First Lords, and no fewer than a hundred other changes in the Board. The work of Admiralty reform—like the stone of Sisyphus—was always falling back; or, like the web of Penelope, the Board was always pulling its own work to pieces. They had heard of late much of the discontent and discouragement abroad in the naval service, and he was of opinion that much of that discontent would, on inquiry, be proved to exist. The service required some assurance that equality of appointment and that equality of reward should be shown to all. Let every one see his own way to the admiral's cabin, and let no one feel that he needed anything beyond his own merits to earn honours and distinction. That was the only mode in which to put down the feeling of discontent that unhappily prevailed.

MR. W. WILLIAMS said, he wished to call the noble Lord's attention to the very heavy increase in the item for extra clerks. He would suggest that as many as were necessary should be taken into permanent employment.

MR. WHITE said, he did not think the inquiry he was about to make could be more applicable on any other than on the Vote before the Committee. He wished to ask the noble Lord the Secretary for the Admiralty to inform the Committee by whose authority her Majesty's gunboats had been handed over to the service of the Emperor of China, and by whose authority stores and supplies of ammunition had also been furnished? If any one was inclined to be captious, he might take the objection that the Estimates were framed on false pretences if a large portion of the expenses voted by the Committee were to be diverted for foreign objects. He thought, therefore, a full and complete explanation was due to the Committee as to the cost of the ammunition and stores supplied. If paid for, they ought to be set on the credit side of the account. A large number of arms had been furnished by the Government of India, which had been paid for by the Chinese Government. He wished to know if the same were the case with the stores and ammunition to which he referred?

VISCOUNT PALMERSTON: The arrangement to which the hon. Member refers was one sanctioned by Her Majesty's Government upon considerations which they deemed sufficient; it being very desirable, with a view to the security of our commerce and the safety of British subjects, that tranquillity should be restored in China. The whole expense of the operations to which the hon. Member refers will be defrayed by the Chinese Government, and will not entail pecuniary liabilities on Her Majesty's Government.

MR. BENTINCK said, he had listened with great attention to the hon. Member for Sunderland (Mr. Lindsay) and he agreed with that hon. Member as to the want of responsibility of the Admiralty; but when the hon. Gentleman said that the country would be indifferent as to who was the head of the Department, he must join issue with him, for he was of opinion that no civilian could possibly perform the duties of head of the Admiralty satisfactorily. Would the hon. Member, whose fleet was one of the great ornaments of the mercantile marine of the country, dream of intrusting its management to any one but a person practically conversant with nautical affairs? A civilian First Lord was incapable of forming an opinion with regard to questions of a technical character, or inventions which might be submitted to him, and hence the country might be deprived, through his incompetence, of some really valuable improvement. He would suggest that the head of the great naval Department of this country should be the best officer that could be obtained, and that his appointment should not be subject to the fluctuations of political caprice in the House of Commons.

SIR MORTON PETO said, that during the last year, he had called attention to the subject of Admiralty management, in the hope that something would be done to give practical effect to the numerous inquiries which had been made, by Commissioners and Committees, during the last few years. He ventured to think that enough had been ascertained to show that it was impossible, with a Board of Admiralty as constituted, to have the work of the country well done. During the thirty years from 1829 to 1859 there had been seventeen First Lords of the Admiralty, and the average time of their term of office was one year ten months and two weeks. During the same period there had been a hundred other changes in the Lords of the Admiralty. Within the last eight years there had been four general changes of the Board—five First Lords and thirty-four other Lords of the Admiralty. Now, he asked, how could any business be properly performed where the Department connected with it was subject to so many changes? From the Dockyard Committee's Report, and other Reports, it appeared to him that there was something rotten in the administration of the Board of Admiralty, and until it was reconstituted he believed it would be ridiculous to expect anything like good order in the Department. He hoped that the noble and gallant Lord the Secretary for the Admiralty would avail himself of the present favourable opportunity to consider the question, with a view to a radical improvement of the system.

Lord CLARENCE PAGET said, that the variety of opinions expressed as to the constitution of the Admiralty showed the difficulty of dealing with the subject. The hon. Member for Sunderland (Mr. Lindsay) was in favour of a sort of council, composed of the principal officers, presided over by a responsible Minister. The hon. Member for West Norfolk (Mr. Bentinck) objected to a civilian First Lord. Then it was proposed by another hon. Gentleman that the Board of Admiralty should be permanent. But he (Lord Clarence Paget) should like to know, in reference to the Constitution of this country and the control which the House of Commons ought to exercise over the Admiralty, what was to become of that control with a permanent Board. The Board would, practically, be responsible to nobody, and the result, he thought, would soon show itself in a great addition to the expenditure. But his hon. Friend proposed a council consisting of professional officers. Well, that was very much the present constitution of the Board. The First Lord was really responsible. He (Lord Clarence Paget) had watched the action of the Board very narrowly, and he could see no difference, practically, between the responsibility of the First Lord of the Admiralty and that of the Secretary of State for War. He really believed, that if by some good fortune the name of a "Board" were discontinued, and another designation employed, much of the prejudice on the subject would disappear. The Admiralty was not, in practice, a Board. Its affairs were administered by a responsible Minister, with a council of professional officers. No doubt the system had defects, like every other human institution; but he could think of no better means of getting through the mass of complicated business which they had to discharge than that of a body of men sitting round a table, where each member had his own specific function to perform. One of the Sea Lords, for example, had charge of the stores; another was placed over the movements of the ships; a civil Lord had the entire charge of the public works; another Lord was in charge of the manning of the navy; another of the whole of the vast department of armaments and guns. He could assure the Committee that every one of these branches was under the control of a Lord, but the whole business was transacted in concert. Thus, for instance, if the Lord who had the control of the movements of the fleet said, "I am going to send such and such a ship to South America," another says, "I have stores I want to put on board;" and thus these gentlemen worked together, and got rid of the confusion which must prevail if people were working in separate rooms, and a combination of result and action was attained. He believed that system was in practice in the War Department, and that it was the custom there to carry on the various branches separately. Such a plan introduced into the Admiralty would lead to immediate confusion; their work was so interlaced, that continual communication with each other amongst the different departments was essential. The hon. Member for Finsbury (Sir Morton Peto) seemed, like other people, to entertain the notion that the Board of Admiralty was an irresponsible Board, and that they were inattentive to their duties; but he felt quite sure, that if the hon. Baronet could see the practical working of the Department, his prejudices against it would vanish and cease. But he would ask, had their plans for the manning of the navy been so unsuccessful? Two or three years ago ships were in harbour six months waiting for a crew, to the opprobrium of the navy. Now, they might be manned in a day.

Was that a proof of maladministration? Then with regard to iron ships. We were passing through a period of transition, and the Admiralty had been compelled to try various systems; but great progress had been made in the construction of a fleet. These were not proofs of want of energy and inaction on the part of the Admiralty. He should have hoped that the vast reductions which the Admiralty had been enabled to make in the Navy Estimates, without injury to the service, would also have helped to vindicate the Admiralty from the imputation of being inefficient. As to the question of the pay and promotion of officers, did hon. Members suppose, that if the Admiralty consisted of one Minister, there would be no complaints from any branch of the service? That, he thought, would be rather too much to expect. Such matters as those did not depend upon the constitution of the Board of Admiralty. Coming now to the Vote before the House, he would point out to the hon. Member for Lambeth that he was in error in supposing that there had been a large increase of temporary clerks. A change had been made by separating the Director of Transports' from the Controller of Victualling's Office, and the increase on one side had been balanced by a decrease on the other. The Admiralty had, however, been obliged, in consequence of the increase of business, to add a first-class clerk in the Secretary's Office. Then, some clerks that had been temporary were made permanent, because when it was found that those clerks had duties to perform that were permanent, it was bad policy to keep them in a temporary position. They had, therefore, put those gentlemen upon the establishment, with a view to their rising in pay and having a claim to superannuation allowance. In the Transport Department they had now got a military officer to sit with the head of that Department, which he thought would be found to work well and economically. He hoped the Committee would now agree to Vote 3.

MR. LINDSAY thought it objectionable that in the Transport Department there should be now two heads, while the amount of work to be done was the same as before. Last year some hon. Members objected to the sum proposed in the Vote as too large, and therefore there was an apparent reduction of £5,000 to make things look pleasant. But the fact was, certain items had been transferred to other Votes, and, instead of a reduction, there was really an increase of £1,576.

SIR MORTON PETO said, he wished to impress upon the noble Lord the Secretary to the Admiralty the great importance of concentrating the offices of the Admiralty. The noble Lord had more than once acknowledged the grave character of the difficulties which existed at the present moment. The Admiralty had plenty of time; there was nothing to disturb them; and he trusted the Committee would receive some assurance that during the present year some steps would be taken towards centralization of the offices under one roof, instead of their being divided between Somerset House and Whitehall.

MR. BENTINCK said, that no one paid a more willing tribute than himself to the ability with which the noble Lord had brought forward his Estimates. But as regarded the argument which the noble Lord used in reply to the suggestions made to him, he (Mr. Bentinck) was not disposed to compliment him. The noble Lord said, that the present was not the right time to discuss the subject. Now, that was always the argument used by the occupants of the Ministerial benches whenever they found the subject inconvenient or they wished to avoid it. When his noble and gallant Friend said that a permanent Board would be under no control, he (Mr. Bentinck) must dispute the assertion, because he could not see any reason why a permanent Board should be freer from the control of that House as regarded its expenditure than any other Board. The noble Lord said that the Department, with several heads, was under the control of one first Lord. Now, that was what they complained of. The Department was really under the control of one person who was not responsible. He would remind his noble and gallant Friend of an answer given by the late lamented Sir James Graham when a question was put to him about the administration of the Board of Admiralty. That right hon. Baronet was asked this question—

> "If you, while at the head of the Board, had a decided difference of opinion with the naval officers under you, would you hesitate to act upon your own judgment, or defer to that of the other Lords."

The answer given by Sir James Graham was this—"Unquestionably I should act upon my own opinion." Now, that reply of the late right hon. Baronet showed the inconvenience of the present system, under which a civilian would think himself justified in overruling the opinion of naval men. He hoped, at a future time, his hon. Friend would bring this subject forward again. It was a mistake to suppose that the Board was attacked. It was not the Board but the system that was complained of. The country, willing as it was to contribute any amount of money which might be necessary for the support and maintenance of the naval service, did not, under the present system, get what he called its money's worth. It was a system of wasteful and useless extravagance, and hence arose those occasional bursts of economy which in the end, he believed, led to extravagance.

Mr. WHITE said, that the defence of the system of the Admiralty which had been offered by the noble Lord was singularly unfortunate. The noble Lord said, that it was meritorious, because the functions performed by the First Lord of the Admiralty were analagous to those performed by the Secretary for the War Department. Now, he believed that the part of their administration which gave least satisfaction to the House and to the country was the functions performed by the Secretary for the War Department. On more than one occasion, attention had been called to the anomalous connection that subsisted between the Secretary of War and the Horse Guards. The comparatively irresponsible authority of the Horse Guards overrode the authority of the Secretary of War. So persuaded was the House of the fact, that on the Motion of the then Member for Bodmin (Captain Vivian) the House had solemnly resolved that an humble Address should be presented to her Majesty, praying that as the present system gave great dissatisfaction, she would place the Horse Guards under the control of the Secretary at War.

Sir HARRY VERNEY said, he was of opinion that whatever might be the defects in the constitution of the Board of Admiralty, there was no lack of zeal on the part of the individuals of whom it was composed—the fact, he believed, being that the illness and absence from that House of one of its Members was attributable to overwork in the discharge of his duties in the Department. It was also believed that the death of Admiral Dundas was caused by overwork.

Vote *agreed to.*

Mr. Bentinck

(2.) £299,695, Goast Guard Service, Royal Naval Coast Volunteers, and Royal Naval Reserve.

Mr. LIDDELL said, he wished to take that occasion to congratulate the noble Lord the Secretary to the Admiralty on the manner in which the Estimates under discussion had been framed. A saving of over a million was effected, as compared with the Estimates of last year, and yet it was the result of no unwise economy. He expressed satisfaction at the statement made by the noble Lord, on Monday evening, to the effect that 17,000 seamen were enrolled on the Naval Reserve, adding that while he was glad to have such evidence of the readiness with which merchant seamen made themselves available for service in the navy, he hoped the Government would not, as a consequence of the success of the scheme, be led to make any hasty reduction in the number of men-of-war's-men. Such a reduction, he contended, would be as improvident as if the Secretary at War was to diminish the number of Her Majesty's land forces because of the existence of the Volunteers. He was of that opinion, because, notwithstanding that the best class of merchant seamen might be secured for the Naval Reserve, and notwithstanding that they might be most attentive in going through the necessary training, yet no admiral would like, for obvious reasons, to go to sea with a fleet composed solely of such men. There was, he might add, some discrepancy between the official Returns, which gave the number of men on the Naval Reserve list at 15,272, and the statement of the noble Lord the Secretary to the Admiralty, who had given a higher number; but be that as it might, he thought the noble Lord was over-sanguine in his estimate of the extent to which the Reserve would be available if a sudden emergency were to arise. Commander Brown, late Registrar of Seamen, an officer of great experience, who had been examined before the Commission to inquire into the best mode of manning the navy, had set down the strength of the Reserve required at 20,000; but he was more cautious than the noble Lord, because he did not calculate that more than one-fourth of that number would be forthcoming at a moment's notice. The great merit of the scheme, there could be no doubt, consisted in its capability of furnishing the means to meet a sudden demand upon our resources, and he should, therefore, like to know whether monthly or quarterly returns were required from the various shipping offices giving information as to the whereabouts of the men, so that the noble Lord might be able to lay his hands upon them when he wanted them. He would express his approval of the plan of engaging seamen for continued service in the navy, but there ought to be no hasty and indiscriminate reductions, such as took place at the close of the Crimean war, even on the grounds urged by hon. Members opposite, namely, the strength and efficiency of our Reserves; for it was a breach of faith with the seamen, which could not be repeated with impunity. He should also wish to know, whether the Admiralty contemplated any change in the regulations of the Royal Naval Reserve? As the organization of that valuable force depended on the exertions of the shipping masters, he would also ask whether they, as public servants charged with onerous duties, would have some fixed payment assigned to them proportionate to the important services rendered to the country?

LORD CLARENCE PAGET thought he could give a satisfactory answer in reference to most of the points touched on. With regard to the Royal Naval Reserve, what he stated on the previous night, though he might not have expressed himself clearly, was that from the beginning there had been upwards of 17,000 men enrolled. The number was, of course, diminished by deaths, by desertions (though of the latter there had been very few), and by vacancies arising in various ways; and the present strength of the Naval Reserve amounted to 14,556 men. According to the last Return, it appeared that the number of volunteers available from the coasting trade amounted to 7,213, and that was the number he (Lord Clarence Paget) quoted to the House. Therefore, his hon. Friend would see that the great mass of the men were at home. The Admiralty hoped to be able to enrol at least 18,000 men. His hon. Friend had asked, whether any alterations were about to be made in the regulations? In reply he (Lord Clarence Paget) might state, on the formation of the Reserve, the age had been extended, five years beyond the limit recommended by the Royal Commission; but, now that the body had nearly assumed its necessary strength, it would be desirable to draw back to the former age. [MR. LIDDELL: That will apply to future entries only?] Yes; to future entries only. In reference to the payment of the shipping masters some complaints had been made, and he thought it was well worthy of consideration whether it should not be a fixed payment; but the Government did not intend at present to make any alteration. The Return which the hon. Member had alluded to was a monthly Return.

MR. LYGON asked for an explanation of the increase in the item of cottages built for the Coast-guards.

LORD CLARENCE PAGET said, that there had been a considerable increase in the Coast-guard stations, and new cottages had been built. The increase of the force on shore was from 4,000 last year to 4,300 this year.

SIR JOHN HAY said, he desired to have some explanation respecting the efficiency of the gentleman who had been appointed to succeed Captain Brown as Registrar General of Seamen.

LORD CLARENCE PAGET said, that the appointment rested with the Board of Trade, and the Admiralty had nothing to do with it.

MR. LIDDELL observed, that last year £5,000 were voted for subsistence allowances for officers of the Royal Naval Reserve under drill; and though the House was led to believe that the number of these officers was largely increasing every day by accessions from the mercantile marine, yet, under the same head in the present Estimates, only £2,184 were asked for.

LORD CLARENCE PAGET replied, that the Admiralty were gradually becoming acquainted with their actual necessities in reference to that portion of the Naval Reserve, and that they had taken for the first year a much larger sum than was requisite.

MR. LINDSAY said, that the Reserve, added to the 76,000 men voted the other night, would give a force exceeding 90,000 men. The question, therefore, was, had they efficient ships which they would dare to send to face an enemy if the country were involved in war into which they could put them. He believed that they had not, and that they had a far greater number of men than they could possibly use in efficient ships. He also thought there ought to be some distinguishing mark upon ships officered and manned by men belonging to the Naval Reserve.

Mr. BENTINCK said the hon. Member for Sunderland, when he complained that they had more men than we could possibly employ in ships in case of a war, seemed to forget that in war there was a large expenditure of men. He had been told that some of the owners of large merchant vessels, whose officers and crew were composed almost exclusively of the Royal Navy Reserve, were exceedingly anxious that those vessels should be permitted to carry the blue ensign. He wished to know, whether under proper restrictions, that permission might be given?

Lord CLARENCE PAGET said, with reference to the question of the hon. Member for Norfolk (Mr. Bentinck), and backed by the hon. Member for Sunderland (Mr. Lindsay), whether ships commanded by officers of the Naval Reserve, and manned to great extent by men of the Naval Reserve, would be allowed to hoist the blue ensign, he (Lord Clarence Paget) would communicate to the Admiralty the wishes of hon. Gentlemen, and he was sure that anything that could be done with propriety in the matter would be done.

Mr. LINDSAY said, he wished to ask the President of the Board of Trade, who had been appointed in the place of Captain Brown, lately Registrar General of Seamen. He also desired to know, whether any increased remuneration had been given to the shipping-masters for their extra services consequent upon the formation of the Naval Reserve?

Mr. MILNER GIBSON said, that Mr. Mayo had been appointed to succeed Captain Brown, who had retired after long service. He would inquire as to the shipping-masters and let the hon. Gentleman know.

Sir JOHN PAKINGTON said, he presumed that the appointment of Mr. Mayo had been made by the right hon. Gentleman himself. He wished to know, whether Captain Brown retired on his own accord, whether he wished to retire, whether he retired on full salary, whether he was entitled to retire on full salary, and whether any hint was given that his retirement would be agreeable? Captain Brown was the first person who held the office, so he could not appeal to any precedent as to the practice of appointing a person conversant with maritime affairs; but he thought the Registrar General of Seamen should be such a person. Was Mr. Mayo conversant with maritime affairs, and what were the antecedents of Mr. Mayo?

Mr. MILNER GIBSON said, he understood that Captain Brown asked to retire. If he had had some little notice, he would have taken care to be furnished with particulars. He was quite sure that it was by Captain Brown's own desire that his retirement came about, and that the cause of it was failing health and conscious inability to discharge the duties. Upon his retirement, Captain Brown had received, on the part of the Admiralty and on the part of the Board of Trade, the fullest acknowledgments of the manner in which, during a long period of years, he had discharged the duties of the office. It was quite true that Captain Brown was the first Registrar, and that he was a naval officer, professionally conversant with maritime affairs. At the outset that knowledge might be of advantage, but the duties were such as could well be performed by a civilian. Mr. Mayo had already performed many important duties in the Board of Trade in connection with the management of the seamen's savings-banks and collecting the effects of deceased seamen. Mr. Mayo had a fair claim to promotion on the vacancy occurring, and in appointing that gentleman he believed the Government had consulted the public interests, at the same time that they did justice to a meritorious public servant.

Vote *agreed to.*

(3.) £71,961, Scientific Departments of the Navy.

Mr. CHILDERS said, he wished to know if the Admiralty would have any objection to publish the results of Captain Denham's exploring expedition to the South Seas? Captain Denham had been away ten years, and had made some most important discoveries.

Lord CLARENCE PAGET said, that Captain Denham had been absent ten years, and had done good service to his country. The charts, surveys, and remarks he had made, particularly with regard to that very intricate part of the world, which hitherto was considered almost impassable—Torres Straits—were of the greatest value. By his great ability, and the zeal and energy of his officers and men, he had succeeded in making a survey which would tend to render the navigation of Torres Straits not more than of ordinary difficulty. The Government were publishing the charts and remarks, which were extremely valuable, but he could not undertake to say that the journals of the voyages would be published at the public expense.

Sir JOHN PAKINGTON said, the noble Lord had done no more than justice to Captain Denham in what he had said. Captain Denham had rendered most important services to the country, and he (Sir John Pakington) would have been glad to hear that some substantial mark of the approval of the Admiralty had been given to him.

Lord CLARENCE PAGET said, the right hon. Baronet's intimation should be conveyed to the Admiralty.

Mr. AUGUSTUS SMITH said, that last year a sum of £1,000 was voted for rewards for experiments, and only £300 of that sum had been expended. Out of such a fund as that the services of Captain Denham might be rewarded.

Vote *agreed to.*

(4.) £183,316, Naval Establishments at Home.

Sir HENRY WILLOUGHBY observed, that if the Government had determined upon building large iron ships of war, it would be better that the work should be offered to competition. In that case there would be a large saving in the number of artificers employed in the dockyards, as wooden ships, for the construction of which they were chiefly employed, were going out of use. In the present Vote, however, he noticed an increase of £6,692, as compared with last year.

Lord CLARENCE PAGET said, the hon. Baronet ought not to suppose that, because they were building iron-cased ships, therefore the wooden ships were to be done away with. Corvettes, sloops, and gunboats must continue to be built of wood till some better material was found, and shipbuilding must go on in the dockyards. There was an increase of £4,000 in this Vote for clerks. That was caused by the changes which the Admiralty were making. Hitherto each naval establishment had had a staff of its own, but they were now going to amalgamate the different staffs, so as to be able to command the services of each clerk at any station they chose, without nterfering with the course of promotion.

Mr. DALGLISH said, he was glad to hear of the change, and he hoped that all the clerks would be placed under the control of the Accountant General, instead of being under the different departments of the dockyards.

Lord CLARENCE PAGET said, that had been partially done. There was an Audit clerk in each dockyard who represented the Accountant General, and was under his control alone as regarded auditing accounts.

Mr. LINDSAY said, he had a suspicion, from the maintenance of such large establishments, that Government were about to build iron ships in their own yards and withdraw them from private contract. If they did this, he warned them that they would have much worse ships, and they would be much more expensive. As to their requiring to build wooden ships, what purpose could they be built for when we had already more wooden ships of twenty guns and upwards than all the world besides? He was not satisfied with the explanation of the noble Lord.

Mr. LAIRD said, he was under the impression that stock was not taken in the dockyards; and if so, it was impossible that the accounts could be properly kept. There was an item of £10,000 for Deptford dockyard, though the last time he visited it he found it almost deserted, and only one or two ships building there. It would be wiser to sell Deptford and build all ships where the materials were more easily obtainable.

Mr. CHILDERS observed, that there were certain changes in the allowances to Wesleyan chaplains in some of the dockyards. He did not mention the matter by way of disapproval, but he wished to hear from the noble Lord on what principle these allowances were grounded.

Lord CLARENCE PAGET said, the principle upon which these allowances were granted was taken from the army regulations, so that the remuneration for services was regulated by the number of marines attending each service. He would explain the discontinuance of the Wesleyan allowance. This allowance having been followed by demands from other Dissenting Churches, they were obliged to go to the War Office to know the course pursued in regard to the army, which was this:—The War Office considered that there were three national Churches—the Episcopalian, Presbyterian, and Roman Catholic—and to each of these they made allowances when requisite. The Admiralty adopted this scheme. They were very sorry to cease the allowance to their Wesleyan friends, but they could not continue it without extending it to other denominations.

Mr. CHILDERS said, it was a new theory that there were three established Churches in this country. If the principle were carried out consistently, something might be said for it. On a question on which religious bodies were so touchy, it was most important to adhere to some rule.

Lord CLARENCE PAGET: I did not say established Churches—I said national Churches. Perhaps I should rather have said predominant Churches.

Mr. SCHOLEFIELD said, that with regard to the alleged superiority of iron over wood, it appeared the *Alabama* was built of wood, and therefore it was not so clear that the efficiency of the navy depended altogether on our ships being constructed of iron.

Vote *agreed to;* as was also—

(5.) £36,370, Naval Establishments Abroad.

(6.) Motion made, and Question proposed,

"That a sum, not exceeding £1,112,878, be granted to Her Majesty, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at Home, which will come in course of payment during the year ending on the 31st day of March 1864."

Sir HENRY WILLOUGHBY said, he had to complain of the total absence of any information on that important Vote. During the last two years they had spent £15,000,000 in stores and wages alone. Taking wages and stores together, the amount voted last year was, in round numbers, £3,500,000; and yet the Committee was in total ignorance as to how the money was spent. It seemed that about 14,000 workmen were employed, but how, why, or where nobody appeared to know. Such was not the way in which the Committee should be treated, and he hoped the noble Lord would favour them with an explanation.

Lord CLARENCE PAGET said, that every year a detailed statement was laid before the House of the cost of every ship built during the previous twelve months. He regretted that that annual account had not yet been completed for the past year, but it would be produced in a fortnight, and he invited the criticism of the hon. Baronet upon it. Meanwhile, he might state that he believed that by the end of the current year the Admiralty would have built 3-8ths of the iron armour-plated ship the *Achilles*, 19½-8ths of wooden armour-plated ships, 1½-8ths of corvettes, 7½-8ths of wooden armour-plated sloops, 8-8ths of despatch vessels, and 7½-8ths of yachts and other light boats. The annual account next year would show what they had done in the way of repairs during the current year.

Mr. LINDSAY said, they appeared to have got very little for their money last year, and he would therefore suggest that the Vote should be delayed until the detailed statement had been laid on the table.

Mr. P. W. MARTIN (Rochester) said, that three successive Boards of Admiralty had issued orders in which they endeavoured to impress upon the *employés* in the dockyards, and the public at large, that they retained no patronage in their hands whatever. A belief still existed, however, that the patronage of the dockyards was largely exercised for political purposes. He would, therefore, suggest that the orders should be converted into an Act of Parliament.

Mr. DALGLISH said, it appeared from the statement of the noble Lord that 47-8ths were built by the Admiralty last year. The produce of the year was six ships, and as the wages amounted to £1,147,000, it resulted, after deducting half for repairs, that about £100,000 had been paid per ship for labour alone.

Lord CLARENCE PAGET said, the hon. Member had made out a very neat sum, but he had not allowed a sufficient sum for repairs. Owing to the war in China, and other matters, the Admiralty had been obliged to repair nearly the whole fleet. They were doing, in fact, what should have been done long ago—bringing our ships into a course of repair, which would put the navy in an efficient condition. If his hon. Friend would wait until the accounts of the year were presented to Parliament, he would find that a much larger sum than half the Vote for Wages had been expended on repairs.

Mr. LINDSAY: Wait till next year! Does the noble Lord mean to say that over £600,000 were spent in wages for repairs last year?

Mr. LAIRD said, it was utterly impossible to understand the accounts in the shape presented to the Committee. If the sum of £600,000 had been expended in one year in repairs, it was time they looked out for another material with which to construct their ships.

LORD CLARENCE PAGET said, in a Report presented to the Admiralty it was stated by Admiral Robinson that the number of seamen and marines voted for the service of the navy told directly on the number of men required in the dockyards. For every man so voted there was an average expense in the dockyards of at least £10 for fitment, refitment, and repairs. That would give a sum of £760,000 for the wages of artificers alone.

MR. LINDSAY said, if the Government had expended £600,000 in repairs, there must be something radically wrong. The country was not getting value in labour for the money expended. It was the duty of the Committee to stop the Estimates until further information was obtained; and therefore he would move that the Chairman do report progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

MR. LAIRD said, the Estimates for artificers' wages and stores for the year amounted to the sum of £4,000,000. Taking £1,500,000 for repairs of the fleet and management, and £230,000 for repairs of the dockyards and machinery, there was left for new ships £2,000,000, which would give 30,000 tons of iron shipping at £70 a ton. He would like to see a correct statement of these outgoings, so that they might arrive at the cost of new ships built in the dockyards.

MR. DALGLISH suggested that it was not desirable to stop the progress of the Estimates. He believed the present Controller was doing everything in his power to establish a proper system; and he arrived at that conclusion from the result of the Devonport election. If the Admiralty were not doing their duty there, the Government candidate would not have been defeated.

Motion, by leave, *withdrawn.*

SIR HENRY WILLOUHBY asked, whether there was any manner of distinguishing that class of dockyard business which did not belong to the building and repair of war ships? A large sum was spent on yachts.

LORD CLARENCE PAGET observed, that the hon. Baronet (Sir Henry Willoughby) was acquainted with the endeavours of the Admiralty to put these things on a proper footing. There was an annual account of the expenditure. It was true the Admiralty did not take an annual survey of stores for the purpose of making a balance, because such a proceeding would be attended with enormous expense.

SIR MORTON PETO said, he could assure his noble Friend that he had given the Committee a fair idea of the total want of arrangement which prevailed at the dockyards, when he told them there was no annual valuation of the stores on account of the expense. The firm with which he was connected had a larger stock in hand than the stores of the Board of Admiralty to go over. Some £16,000,000 or £17,000,000 of engagements in every part of the world must entail on the part of his firm some amount of labour in taking stock, and yet they did not shrink from it, because otherwise they would not know their position. There ought to be an accurate statement at the close of every year of the whole of the stock of every kind.

SIR GEORGE BOWYER said, he could not understand why a stock-taking should cost so much money. He supposed the Government had officers competent to the task; and, if so, it might be performed easily as a part of their ordinary duties, and without any expense.

MR. P. W. MARTIN said, he believed that the officials in the dockyards were at present overworked.

MR. SEELY said, he was anxious that the system of accounts put forward by the Admiralty should be improved; but, from experience, he knew that taking stock was a costly operation; however, its expense, in time, trouble, and money, was fully compensated by the advantage it afforded of knowing how they stood. He believed that stock-taking by the Admiralty would occupy a fortnight or three weeks. Having himself inspected the accounts at Portsmouth last year, he found no double entry practised there, or, at any rate, none was produced. The Committee ought to know what each ship cost for building or repairs, but their present information was most delusive, because it did not show on one side what they got for the money they paid on the other.

MR. LAIRD said, he saw no difficulty, not only in taking stock, but in keeping a correct account of the cost of every ship built or repaired, for he had done it himself in his establishment for thirty years. The men usually got holydays at Christmas, and the operation might be got through in a week or ten days. It was most essential that the Admiralty should know by taking stock, like private firms, what was the first cost, and what the expense of repairs, for every ship.

Mr. AYRTON said, that having himself visited a Government dockyard and looked at the accounts, he must say he found the entries to be most carefully and precisely made, showing how each man was employed and every article appropriated.

Lord LOVAINE said, he thought the information which hon. Gentlemen opposite sought might be easily obtained by having duplicate accounts for every separate dockyard.

Mr. LINDSAY said, the description of the system of accounts in the dockyards, given by the hon. Member for the Tower Hamlets, certainly did not tally with the report of the Royal Commission.

Mr. AYRTON said, he spoke of a period subsequent to that Report.

Mr. LINDSAY said, he should be glad to see the accounts which were presented to the House, drawn up so as to show the cost of the labour, the material, &c., of each ship. He was at a loss to know how the Admiralty could balance their books, as they were said to do every year, without taking stock. It would not be necessary to turn over large materials, such as timber, of which a stock account ought always to be kept; but it was all important to have a proper annual balance-sheet.

Lord CLARENCE PAGET said, he thought, if stock were to be taken at all, it must be taken with minute exactitude, otherwise it would be fallacious. It must extend to every article they had in the yards. That was done at present once every three years. The accounts were now kept by double entry under the Accountant General; and the documents which would be placed before the House would give, in a complete form, the expenditure on every ship and every manufactured article in the dockyards. When they had these accounts in as perfect a state as the cash accounts of the navy, it would become a question for consideration whether it would be worth while to take stock annually instead of triennially. The accounts now kept would furnish every particle of information for which hon. Gentlemen asked.

Mr. BENTINCK said, he thought hon. Members opposite were expecting a little too much. In the Government dockyards the stimulus to care and economy which existed in private establishments, was wanting, and though an alteration of the system might partially remedy that defect, it would not wholly eradicate it.

Original Question put.

Vote *agreed to.*

(7.) £69,957, Wages to Artificers, &c., abroad.

Sir JOHN PAKINGTON said, he wished to inquire the cause of the increase in the number of hired men (133) employed in the naval yard of Bermuda.

Lord CLARENCE PAGET said, it arose from the substitution of free for convict labour.

Sir JOHN HAY asked if all the convicts had been withdrawn.

Lord CLARENCE PAGET: They have all been withdrawn, I believe.

Sir JOHN HAY: Where have they gone?

Lord CLARENCE PAGET: I do not know.

Vote *agreed to.*

(8.) Motion made, and Question proposed,

"That a sum, not exceeding £1,334,051, be granted to Her Majesty, to defray the Expense of Naval Stores for the Building, Repair, and Outfit of the Fleet, which will come in course of payment during the year ending on the 31st day of March 1864."

Sir MORTON PETO said, he rose to move that the Vote be reduced by £250,000. He did so on two grounds. The first was that it was not required; and secondly, because the Government had improperly taken that amount from a Vote destined for another purpose. In the year, 1861 the Vote for timber was £995,000, and his hon. Friend the Member for Sunderland proposed, and I seconded his Motion, that it should be reduced by £300,000, but did not meet with very extensive support in the Committee. In the year 1862 the amount of the Vote was £560,713, and again his hon. Friend proposed its reduction by £100,000, but did not meet with the support which he had reason to expect. The Government had at present 112,000 loads of timber in the dockyard, which was equivalent to five years' consumption when timber ships only were built. The noble Lord the Secretary to the Admiralty had given his pledge that no more, or at least very few more, wooden vessels would be constructed; and if that was the case, and with 112,000 loads of timber in hand, was it necessary that they should come and ask for £266,000? But his second reason for proposing the reduction was that the Admiralty had taken the sum of £250,000 from a distinct Vote and appropriated it to the purchase of timber. From the Report of the Committee on Public Accounts, printed in July, 1862, they found that in the early part of the year there had been a somewhat sharp dissension between the Lords of the Treasury and the Board of Admiralty in regard to this sum. The sum of £250,000 had been taken from a Vote for the construction of iron ships, and he asked why the Admiralty had taken that sum and devoted it to the purchase of timber? The auditor objected, but the Admiralty defended themselves, and said they were at liberty to take the sum voted for the construction of iron ships to purchase wood, inasmuch as the sum was taken under the Vote of Stores, and they could devote the sum to any branch of the stores they pleased. If that could be done there was no use of Parliament voting money for separate and distinct purposes; their sitting there was a sham and a farce. They gave Votes of money for the purposes which they thought best for the interests of the country, and he held that the Admiralty had no power, without not only showing marked disrespect to the House, but acting in a most unconstitutional manner, to appropriate any Vote of that House for any other purpose than that for which the House sanctioned it. He must refer to the exact words of the noble Duke at the head of the Admiralty, when defending himself in Committee on this matter. He was asked, "In point of fact, did you not apply for the purchase of timber money which was voted by Parliament for the exclusive purpose of building iron ships?" and the noble Duke answered, "Yes I did. I did that on my own responsibility. I considered it a right thing to do. Parliament was not sitting when I bought the whole of that timber. I may have bought some whilst Parliament was sitting, but most of that timber was bought after Parliament was prorogued." When further asked whether it was while Parliament was sitting that he resolved to make the purchase, he answered, "Yes it was." The course which the noble Duke ought to have pursued was to have asked the House to reverse the Vote for building iron ships, and to have asked a quarter of a million for timber. He had given notice to his noble Friend that he would call attention to the subject, and it was but right that he should have a full opportunity of explaining the course which the Admiralty had adopted. He should take the sense of the Committee on the reduction of the Vote by £250,000.

Motion made, and Question proposed, "That the Item of £266,663, for Timber, Masts, Deals, &c., be reduced by £250,000.

Lord CLARENCE PAGET said, that undoubtedly, on the occasion to which his hon. Friend alluded, the Duke of Somerset did take on himself the responsibility, when great exertions were required, of using every means in his power of procuring timber, and hence the very contracts he now asked the Committee to agree to. He was obliged to tell hon. Gentlemen this, year after year; timber contracts were taken two or three years beforehand. They could not get timber just when they wanted it. If he waited to contract for timber till he came down to the House for a Vote, he would get none. It was necessary to make contracts for timber two or three years in advance. Dantsic timber might be had as it was wanted, but the great bulk of the timber now estimated had been contracted for two or three years ago. On that occasion, when all the world were urging the Government to great exertions in ship-building, and when they were taunted over and over again for not having a sufficient stock of timber, it was the duty of his noble Friend the Duke of Somerset—to order a considerable stock of timber, and that was the reason why they found themselves in so satisfactory a position as regarded the stock of sound timber. He hoped the Committee, notwithstanding the appeal of his hon. Friend, would agree that it was the duty of the Admiralty to take these contracts, in order to procure a suitable supply of that important article.

Mr. LINDSAY said, that the noble Lord had not answered the question of his hon. Friend the Member for Finsbury—Was the Duke of Somerset to overrule the decisions of that House?

Lord CLARENCE PAGET said, that in order to show how anxious the Duke of Somerset was that the Vote should be brought under the consideration of Parliament in a distinct shape, and that there should be no transfer of a sum given for one purpose to another purpose, he might mention that His Grace had himself divided the Vote into two sections. The object of the division was to prevent the Admiralty from having the power of applying money voted for the first section towards the purposes provided for under the second section.

Sir HENRY WILLOUGHBY remarked that a considerable change had lately taken place in the system of accounts. The House had made an important alteration in the Appropriation Act, which prevented any transfer of money from one Vote to another, and required that any excess should be surrendered to the Treasury. If an emergency arose, the Department could apply to the Treasury for a temporary advance, which must afterwards come under the notice of the House as a distinct Vote. If those regulations were disregarded, the House had the remedy in their own hands.

Mr. LAIRD contended that before the Admiralty proceeded further in the construction of iron-plated vessels, the merits of the turret ship ought to be fully tested by experiments; and that if it was found to be superior, it should be adopted. They had two cupola ships building. Let them be tried, and let the ships on Mr. Reed's plan be also pushed on. The Admiralty should act as they did in France, where they did not keep on building all sorts of ships, but proceeded with their iron-cased ones and stopped the others, and thus did not require any larger estimates for the reconstruction of their navy.

Mr. SEELY said, he wished to ask whether the Vote was required for timber already bought or to be bought?

Lord CLARENCE PAGET: For timber contracted for in 1861.

Question put, and *negatived.*

Original Question again proposed.

Mr. LINDSAY said, he thought that more information was required. The noble Lord had told them that they must regulate their progress by that of other countries. The noble Lord had also told them that by April of next year this country would have eighteen iron-coated ships. It was desirable to know the tonnage of those vessels, and also what number of iron-plated ships France would have by April of next year. In order to afford the noble Lord an opportunity of giving that information, he would move that the Chairman report progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided*:—Ayes 13; Noes 74: Majority 61.

Original Question again proposed.

Sir JOHN PAKINGTON said, he wished for some information respecting the extent the Admiralty were building wooden ships covered with iron armour, and how far it was their intention to construct such vessels? That was a plan of building, the wisdom of which he very much doubted. They had been accustomed for the last year or two to make comparisons between the progress of the French navy in armour-plated ships and the English navy, and their consolation had been, and he always felt reasonably, that though the French were superior in point of numbers, England had the advantage in point of quality and construction. Now, he believed that one of the principal reasons why they were justified in claiming that advantage over the French ships, ship for ship, was that the majority of the armour-covered ships in England were built of iron, while the majority of the French were of wood. He understood the noble Lord to say, that the Admiralty were beginning to deviate, to some considerable extent, from that plan. They could not expect large wooden ships, carrying an immense amount of armour, to bear the wear and tear of every weather like iron ships. When they considered the large amount of machinery those vessels had to carry, they must see it was desirable that the best mode of construction should be adopted. He believed the best mode was to have iron ships covered with armour, and not wooden ships covered with armour. He begged to ask the noble Lord to explain to what extent they were preparing wooden ships to be covered with armour.

Lord CLARENCE PAGET said, the position of the country was very peculiar. They had now a large and very fine stock of timber, and that to him was a source of unmitigated satisfaction, whatever might be thought by others. Having a very good stock of seasoned timber, the Government proposed, during the coming year, to cut out the frames of five ships. Their forms were not, in truth, yet exactly decided upon, but they would be ships very much like the *Royal Oak,* though, perhaps, somewhat larger. If it was found that the turret principle succeeded, the frames which were now to be cut out would come in for turret ships, as there was no difference between the bottoms of turret and of broadside ships. The Government also proposed to convert one line-of-battle ship, the *Repulse,* into a wooden armour-plated ship. Undoubtedly, there were great advantages in iron. [SIR JOHN PAKINGTON: Then, why build of wood?] Because they wanted to build quickly and cheaply. Under all the circumstances, he thought the Admiralty were justified in cutting out those wooden frames.

SIR JOHN HAY said, he thought the Committee must have heard with great surprise the explanation of the noble Lord. It was true that, as far as experience went, it was very desirable between the iron frame and the armour to put a certain thickness of wood as a protection, and to have a wooden sheathing for the support of the copper. But the proposal to convert a certain portion of superfluous timber into frames, which could not be nearly so durable as iron frames would be, was a very extraordinary one. Nor did it follow, because other countries used the inferior article for their ships, that they should use it too, when they were able to use iron, which was so much better.

VISCOUNT PALMERSTON:—No doubt iron-framed ships, covered with a backing of wood and then armour-plated, are, as far as experience has yet gone, on the whole the best, although everybody knows there is a difficulty about the iron bottom, which gets foul unless properly protected. But the Committee will recollect that last year and the year before a great pressure was exercised upon the Government to get an iron-cased fleet equal in number and in power to the iron-cased fleets of other Powers. The Admiralty, therefore, had to get these ships as fast as possible, and it was found that a given number of iron-plated ships could be got ready at a less cost and in less time by making use of the timber which was in store, and by plating wooden ships with iron, than if we had constructed the necessary number of ships of iron. Although the iron ships on the whole are the best, yet what my noble Friend has said is true—that, in comparing your armaments with those of other countries, you must not forget that other countries have cheap wooden ships covered with iron-plating. I believe the French have only one ship, the *Couronne,* of iron. The *Solferino* and *Magenta* are of wood, armour-plated. Therefore, you are at least on a par with other countries, though if you have the time, and do not mind the additional expense, iron ships are preferable.

SIR JOHN PAKINGTON observed, that he was sorry to say that the explanation of the noble Lord could not be considered satisfactory. It was perfectly true that it was desirable to increase the number of plated ships, and he should have felt grateful to the Government if they had applied wooden ships, which were in progress, for this purpose by having them plated. That, however, did not apply to what they were now told the Government were doing. What the noble Lord said was no justification for commencing *de novo* to build wooden ships, which it was admitted were inferior to those whose frames were of iron. He thought the course taken was a very serious mistake upon the part of the Admiralty. They had found out this at all events, that iron-framed ships were the best; and this being so, why should they build wooden ships? He was not one of those who thought that, with their extended territory and large commerce, wooden ships would be altogether superseded; but that had nothing to do with the proposition that when they were building plated ships they should build them in the best manner. From the form of the Estimate he was unable to say what portion of the Vote applied to the five ships; but if the noble Lord the Secretary for the Admiralty would inform him upon that matter, he would move to reduce it.

MR. LAIRD said, that Spain, Turkey, Sardinia, Russia, and America were all building iron ships in this country, and in France private establishments were building large iron frigates, to be plated with armour. He did not agree with the noble Lord as to the facility of converting the wooden frames into turret ships; turret ships ought to be planned and built as such. There was an impression abroad that cupola ships could not be made seagoing vessels, but he believed that that was quite an erroneous impression. The *Monitor* was a totally different thing. She was built merely for coast service. He trusted that the Admiralty would push on the *Prince Albert,* which was now building, in order that it might be ascertained whether the views of practical men were correct, that we should have to a great extent to adopt these ships; and if the answer were in the affirmative, the country would save a large sum of money in the navy in future.

Lord CLARENCE PAGET said, that the reason why the Admiralty had decided upon cutting out these frames was that the wooden frames could be constructed a great deal more rapidly than iron ones. It would take two years at least to build a ship wholly of iron. It took two years and a half to build the *Warrior.* Another reason why the Admiralty thought it best to build wooden frames and coat them with iron, rather than convert wooden ships into iron-plated ships, was that they had used all the large wooden ships, with few exceptions, and the state of the remainder was not so good as to make it a matter of economy to convert them. Then they had a certain number of a smaller class of ships, but those ships had not flotation sufficient to carry iron plates. They could give them greater floating power, but that would be a costly operation, and, on the whole, it was more advantageous to build wooden frames, giving great capacity to carry these heavy plates. With regard to wooden sheathing, it was found that galvanic action took place, and the iron bottom became full of holes.

Mr. LINDSAY said, that the Vote contained an item of £160,000 for armour-plates for wooden ships. Five-sixths of that would be for the plates for these five ships which were to be built, and, in order to take the sense of the Committee, he would move the reduction of the item by £134,000.

Motion made, and Question proposed, "That the Item £160,000, for Iron for Armour Plates for Wooden Ships, be reduced by £134,000.

Viscount PALMERSTON said, he did not think that the Motion of the hon. Gentleman was calculated to attain his object. The objection entertained by some Members of the Committee was not to the plating of these vessels, but to the construction of the frames, and their desire was that the ships to be plated should be built of iron instead of wood. The effect of the Amendment, if adopted, would be, that there would be no plates to put upon either wood or iron ships. Old ships covered with armour-plates would not be as good as ships newly framed out of timber for the purpose, because the latter would be constructed on a different principle and would not contain unsound places. What the country wanted was the best ship that could be had. The best ship undoubtedly was an armour-plated iron ship; but it would cost more and take longer in construction, and we were in a hurry. It was quite clear that it would be cheaper to use timber already paid for than to use iron which would have to be paid for. It would take two years and a half to construct iron ships, and even then they would not be able to obtain as many as they required.

Sir JOHN PAKINGTON said, the arguments of the noble Lord had not reconciled him to the course taken by the Admiralty. He had no desire to check the progress of armour-covered ships. On the contrary, any wooden vessels, completed or in progress, ought to be armour-plated. But where ships were about to be constructed *de novo,* they were bound to build them on the best principle in their power, and they certainly ought not to be made of wood. For these reasons he should support the Amendment of the hon. Member for Sunderland.

Lord CLARENCE PAGET explained that the armour-plates, of which the Amendment sought to deprive the Government, had nothing to do with the embryo ships. They were intended for vessels already in existence.

Sir JOHN PAKINGTON said, he would certainly vote as he had just stated unless he received an assurance from the noble Lord that the five new ships should not be built of wood.

Sir MORTON PETO thought the Committee had reason to complain of the conduct of the Government in the matter. In 1861 the noble Premier came down to the House, and asked a Vote of about £1,000,000 for iron ships; and that Vote the Government had used most improperly in the purchase of timber. In 1862 another large Vote (£600,000) was taken; and when that evening he proposed to reduce the Vote for timber by £250,000, he was told by the Government that the timber was ordered in 1861, and must be paid for. If the Committee failed to treat the question as business men, they might as well vote the Estimates in a lump, and go home to dinner. What the country wanted was not an iron fleet, but an effective iron fleet. There was an item in the Estimates under consideration of £750,000 for wages paid for the repair of the fleet; but if they had an iron fleet, scarcely any repairs would be needed. An iron hull, practically speaking, would only require repairs once in fifty years. The House had resolved that the fleet should be an iron one, and the Government were not justified in disregarding that Resolution, and continuing to build wooden ships. The noble Lord said, the best thing they could do with timber in their possession was to use it; he denied that. They had better let it lie where it was, or sell it.

SIR JOHN HAY said, he hoped the Government would make some concession to the feeling of the House on that point. It was obvious that timber, into which a saw had never been put, could readily be converted to purposes other than the construction of ships. As to the question of time, everybody conversant with the subject knew that iron frames could be rolled in a much shorter time than the most zealous and active shipwright could put together a wooden frame.

MR. LIDDELL said, he would be sorry to see the Government placed in a minority on a question of the kind. Opinions would be reconciled if something like a pledge were given that the five wooden ships would not be built without further consent on the part of the House.

MR. W. E. FORSTER said, he thought the House had a right to ask for something more than a pledge. The Vote should be withdrawn, and reproduced in a shape which would admit of a definite Vote being taken with regard to these wooden ships.

MR. AYRTON said, that the Vote had nothing to do with the five wooden ships. All that was wanted, was for the noble Lord the Secretary to the Admiralty to withdraw his statement of the intention to build these ships.

SIR FREDERIC SMITH said, he would suggest that the Vote should be postponed. At present the Committee were about to Vote without understanding the subject.

MR. KINNAIRD said, he begged to add his recommendation to the Government to postpone the Vote. At the same time, he would not take it upon himself to dictate to the Admiralty how these ships were to be built.

VISCOUNT PALMERSTON said, he hoped the Committee had the same object in view as Her Majesty's Government, which was that the country might obtain, at the smallest expense and in the shortest time, an effective fleet able to compete with the fleets with which, under certain circumstances, they might—he trusted at a distant day—have to come in conflict. Let the Committee first examine the course intended to be pursued by the Government, and then the course recommended by his hon. Friend. His hon. Friend proposed to omit from the Vote the cost of the iron plating which it was proposed to provide. He seemed to think that by cutting off that part of the Vote he would open up that part of the question which related to the five ships it was intended to prepare. But he would do no such thing. The Admiralty did not come down to the House for a Vote for armour-plating until the ships were in a state to receive it. In this Estimate the Government did not ask the Committee to vote for armour-plating for ships until they were begun. The iron plating now to be voted was for ships that were ready to receive the armour. He (Viscount Palmerston) did not suppose his hon. Friend, or the House, meant that ships which were now ready to receive the armour-plates should not receive them. That would not be the way to provide the country with an adequate fleet. Whether ships in future were to be built of wood or iron was another question. The right hon. Baronet, he believed, thought it better that old ships should be converted. He (Viscount Palmerston) believed that the present ships had new frames, and his hon. Friend asked that they should be deprived of the armour which they were ready to receive. He thought, that if his hon. Friend saw the actual result of this Amendment, he would not press it. Then came the question of the future. That was a question to arise between the House and the Government. There were three descriptions of armour-plated ships which they had to consider. One was the class of ships with iron skin-plates, backed by teak, upon which the iron armour-plates were fixed, such as the *Warrior* and *Black Prince*; and he (Viscount Palmerston) thought it very possible experience would show they were the best. But experience had also shown that they were by far the most costly, and took the longest time to complete. The *Warrior, Black Prince, Resist-*

ance, *Revenge*, and others were a very long time in building, and experience showed that it was possible to cut out timber and construct wooden ships and put iron upon them in a much shorter time. Therefore, if the Committee wanted, within the shortest period, to equal the number of ships possessed by foreign Powers, they would arrive at the result by pursuing the course the Admiralty were taking with regard to these five ships. Then there was another consideration which the House was not always disposed to keep out of view, the consideration of expense. According to the calculation made by the Admiralty a certain amount of expense only would be required. If, on the other hand, his noble Friend the First Lord of the Admiralty consented to build these ships of iron instead of wood, as some hon. Members wished, they would cost more money, and his noble Friend would have to come down with an additional Navy Estimate. The Committee must, therefore, consider whether the advantage to be gained by building iron ships was such as to induce them to urge the Government to come down with an increased Naval Estimate. The Government had proposed an economical arrangement, by which the object in view would be gained at an early time and at a moderate cost. The House of Commons had been urgent, during the last two Sessions, in recommending the Government to pratice economy. Hon. Members had declared that the cost of the navy was greater than it ought to be, and they were gratified by the reduction of £1,000,000, which the Government had effected in the Navy Estimates. But if the House, instead of the Admiralty providing five ships at an early period and at a cheap rate, insisted on the ships being built at a greater expense, and in a longer time, it was not for the Government to be more economical than the House of Commons. The Government were quite ready to take these views into consideration if they were not permitted to take their own more economical course. But that question was not involved in the Vote now under consideration. There were seven or eight ships ready to be plated with iron; and if the present Amendment were carried, the Committee would only refuse the necessary plates for those ships without accomplishing the prospective object they had in view. He hoped his hon. Friend would not persist in his Motion. Another point that had been raised had been fully answered by the right hon. Baronet. A sum estimated for iron ships was applied to a different purpose, but that was perfectly legitimate and was owing to the difference between an Estimate and a Vote. The Estimate that was submitted to the House showed the different elements of which the aggregate Vote was made up; and when the House resolved upon the aggregate Vote, nothing prevented the Admiralty from applying to one portion of the Vote what was estimated for another. But when the House is asked for a Vote for a specific purpose, it is not competent for the Admiralty to apply the money to a different object. But, with regard to the point now at issue, he begged to say, on the part of the Government, that the question of the relative advantage of iron and wooden ships should be considered, and that the Government would, at a proper time, state to the House, after full consideration, the conclusions at which they should arrive.

Sir STAFFORD NORTHCOTE said, he did not quite understand by the last words of the noble Lord whether the Government would consent to withdraw the Vote, or whether he wished to have it passed on the ground that the point which had been raised did not strictly apply to the item in question, and that the Government would afterwards take the question of the wooden ships into their consideration, and state the result at which they had arrived. But he would warn the House, that if the doctrines which the noble Lord laid down were to pass without protest, the House of Commons would lose all control over the Supplies. They were told that Government intended to proceed in a certain way which many hon. Members on both sides of the House thought objectionable. When hon. Gentlemen were ask to vote a large sum for the Navy Estimates, they were bound to consider whether the money was to be properly applied. Well, they objected to applying it to the putting of armour-plates upon wooden ships. First of all came the Vote for wooden ships, and hon. Members were told they could not diminish it; and next came the Vote for armour-plating, and again they were told that that did not apply to wooden ships. It was absolutely necessary, then, that the House of Commons should make a stand. The House did not wish to refuse the money if they received a pledge that the Government would not proceed with those other wooden ships without the sanction of the House. But if they got no pledge, but had the matter put in such a way as to prevent their expressing any opinion upon it, they would be obliged to stop the Vote until such a pledge should be given by the Government.

Viscount PALMERSTON said, he thought the best arrangement would be to pass the Vote, and he would pledge himself that no steps should be taken with respect to the five wooden ships in question until the matter had been submitted to the House. The Government would submit a statement to the House showing what would be the cost of the five iron ships, and the time that would be required to complete them, and also the cost of the five ships intended by the Admiralty, and the time when they would be ready, and then the House would be able to judge. But it should be understood that the present Vote had nothing to do with those ships, but was intended for ships already completed.

Sir JOHN HANMER said, he had no objection to the course proposed, but he thought there was no pressing necessity for building our navy in such breathless haste. He had heard the hon. Member for Birkenhead (Mr. Laird) say, that it would be very easy to furnish twenty *Alabamas* in a very short time and for a very small sum of money. The worst thing they could do, however, was to build inefficient ships. When they remembered what happened in 1814, how English frigates were sent to compete with American vessels of the same name but of greater power, and how British seamen were obliged to haul down their pennons, though their hearts almost broke in doing so, they would see the necessity of taking their time, and when they put a ship upon the sea that it should be one that would be able to maintain the honour of England against any opponent in the world.

Sir JOHN PAKINGTON said, he understood the pledge to be this, that no steps should be taken in building those five wooden ships, of which they had heard that night, until a statement had been laid before the House, showing the comparative time and expense of building those ships, or of building iron ships instead, and until the House should have an opportunity of distinctly expressing its opinion upon the subject.

Viscount PALMERSTON: That is distinctly the pledge I intended to give.

Motion, by leave, *withdrawn.*

Original Question, put, and *agreed to.*

(9.) £857,349, Steam Machinery, also *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

POST OFFICE SAVINGS BANKS BILL.

[BILL 22.] SECOND READING.

Order for Second Reading read.

Mr. LYGON said, he rose to express a hope that a postponement of the second reading would be agreed to, in consequence of the absence of the hon. Member for Buckingham (Mr. Hubbard) who took great interest in its proposed enactments.

The CHANCELLOR of the EXCHEQUER said, the Bill had been in the hands of Members a considerable time, and he did not think the neglect of an hon. Member to be in attendance was a good reason for the proposed postponement.

Sir HENRY WILLOUGHBY said, the preamble confined the Bill to those savings banks which wished to wind up; but the clauses referred to all savings banks in the kingdom, and would affect the regulations of some of the best of the old banks, restraining the transfer of the accounts of minors, unless it were shown to the satisfaction of the directors that there was good reason for the transfers, such as the advancement of the minor, emigration purposes, and so on, which restrictions had been found to act very favourably to the interests of the younger depositors.

The CHANCELLOR of the EXCHEQUER said, that if any attempts had been made to discredit the old savings banks by persons over whom the Government had no control, the Government could do no more than regret the circumstance; but, if otherwise, the Government would express a regular official opinion on such conduct in conformity with that expressed by the hon. Baronet. He could not accede to the demand to limit the operation of the Bill to cases of the deposits of minors in savings banks about to wind up. He proposed that minors should be allowed to transfer their accounts backwards and forwards between the old savings banks and the Post Office savings banks, because the principle was laid down that there should be perfect freedom of choice for all persons between one class of banks and another. It was not a question of drawing out the money altogether, but of the transfer of money between establishments sanctioned by law and approved by the policy of the State.

Bill read 2°, and *committed* for Monday next.

BILLS OF EXCHANGE AND NOTES (METROPOLIS) BILL—[Bill 33.]

SECOND READING.

Order for Second Reading read.

Mr. P. W. MARTIN said, he would suggest that the Bill should extend to Tuesday, the 10th, as well as Saturday, the 7th of March. It would be a great boon to clerks and persons in that station of life, who desired to make the 10th of March a general holiday.

Sir GEORGE GREY said, the reason for the present Bill was, that on the 7th there would be great crowds in the streets, and it had been represented to him that there would be great risk in bankers' clerks going about on that day. The same remark would not apply to the 10th—the marriage day—because, although the day might be observed as a general holiday, there would not be great crowds in the streets. The holiday would be purely a voluntary one, and it was not desirable that Parliament should make it compulsory.

Bill read 2°, and *committed* for *Tomorrow.*

MARRIAGES REGISTRATION (IRELAND) BILL.

LEAVE. FIRST READING.

Mr. MONSELL said, he rose to move for leave to bring in a Bill to provide for the Registration of Marriages in Ireland. The object was to provide for the registration of marriages which were not at present registered—namely, the marriages of Roman Catholics, and he had no intention to touch the separate question of the Law of Marriage in Ireland. Care was taken in the provisions of the Bill not to make the priests in any way servants of the State, and to adopt the principle of the Scotch law for the registration of Roman Catholic marriages in Scotland. The parties to the marriage would be bound, within three days after its celebration, to send a schedule to the registrar of births and deaths, under a penalty of £10, and the registrar would forward it to the Registrar General.

Sir ROBERT PEEL said, that as to mixing up the questions of the registration of marriages and the law of marriages, they had the authority of the hon. Member for Dundalk that the two questions were intimately blended together. He trusted some provision would be made to prevent the possibility of forged schedules being sent to the registrar. It was very desirable that some Bill should be passed, and he should be happy to give any assistance in his power. But he hoped some little time would be given for the consideration of the Bill before the second reading.

Mr. M'CANN said, he doubted whether the Bill would work at all.

Mr. MAGUIRE was sure his hon. Friend would give ample time for the consideration of the Bill before the second reading.

Sir GEORGE BOWYER said, he retained the opinion that the right hon. Gentleman the Chief Secretary had acted wisely in not including marriages in his Bill for the Registration of Births and Deaths. The great *desideratum* was to have a register of the bare fact that marriage between certain parties was solemnized on a certain day, without regard to the validity of the marriage. It would be difficult to keep the legal question separate, but he wished the hon. Gentleman every success.

Motion *agreed to.*

Bill to provide for the Registration of Marriages in Ireland, *ordered* to be brought in by Mr. Monsell, Lord Naas, and Mr. Herbert.

Bill *presented,* and read 1°. [Bill 39.]

MARRIAGES, ETC. (IRELAND) BILL.

Bill to amend the Law relating to Marriages in Ireland, and to extend the provisions of the Act of the twenty-second year of Her Majesty, chapter twenty, to the Consistory Courts of Armagh and Dublin, *ordered* to be brought in by Sir Edward Grogan, Mr. Vance, and Mr. Longfield.

Bill *presented,* and read 1°. [Bill 40.]

DISEASES PREVENTION (METROPOLIS) BILL.

Bill to regulate the removal in hired or public Carriages of Persons labouring under infectious Diseases in the Metropolis, *ordered* to be brought in by Dr. Brady and Sir FitzRoy Kelly.

Bill *presented,* and read 1°. [Bill 41.]

SALMON EXPORTATION BILL.

Bill for prohibiting the Exportation of Salmon at certain times, *ordered* to be brought in by Mr. BRUCE and Sir GEORGE GREY.

Bill *presented,* and read 1°. [Bill 42.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, February 27, 1863.

MINUTES.]—PUBLIC BILLS.—*Second Reading.*—Prince and Princess of Wales' Annuities (No. 24).

Committee.—Gardens in Towns Protection [H.L.] (No. 14).

Report.—Gardens in Towns Protection [H.L.] (No. 14).

Third Reading.—English Church Services in Wales [H.L.] (No. 7); and *passed.*

POLAND—OBSERVATIONS.

THE EARL OF ELLENBOROUGH: I have observed that the Minister of the King of Prussia has stated in the Prussian Parliament that the Government of the King has not concluded a Convention with the Emperor of Russia, such as the expressions of the noble Earl the Secretary of State for Foreign Affairs in this House on a former evening could be applicable to. I do not think it necessary to put any question to the noble Earl upon this subject. I remain in the continued belief that the noble Earl had full authority for making the statement which he made in this House, and that it is correct; nor do I think it necessary to take this opportunity to say anything further upon the Polish question. The speech of the noble Earl the other evening satisfied me that the question may be safely left in the hands of Her Majesty's Ministers. I believe that they will in their communications with foreign Powers use language in conformity with the general feeling of this country. And I trust I may add, that if these deplorable events should result in any more serious complications, Her Majesty's Ministers will not hesitate to come at once to Parliament for support.

EARL RUSSELL: With respect to the telegram to which my noble Friend has alluded, I can only say that it does not appear very clear what it was that Count Bismark meant to convey when he contradicted the statement relative to the Convention between Prussia and Russia which I made to your Lordships. The statement which I made in this House was, that I had spoken to the Russian and Prussian Ambassadors with respect to the rumour that such a Convention existed, and that they said—both of them—certainly the Russian Ambassador—that they were not in possession of the text of the Convention; but I gathered from them that the substance of the Convention was, that in certain cases if the Russian troops should pursue Polish insurgents into the Prussian territory, the Russian troops should be allowed, with arms in their hands, to follow them into the Prussian territory. I believe that that was a correct statement; and I may add that the Russian Ambassader told me that he had no objection to give me the nature of the terms of the Convention. All that I have since learnt goes to show that there is an article, of which I was not aware, which requires that in some way or other the permission of the Prussian authorities shall be obtained before the Russian troops are allowed to enter the Prussian territory; but it does not appear clear whether this permission is to issue from the central Government at Berlin, or whether it is to be given by the local authorities.

THE EARL OF SHAFTESBURY: I wish to ask the noble Earl whether he has received any confirmation of the statement that certain Polish students were arrested by the Prussian authorities and handed over to the Russian Government.

EARL RUSSELL: I can only speak upon the authority of local newspapers. I cannot say more than this—that certain persons—Polish students—were arrested in the Prussian territory, and sent across the frontier into Russian Poland; but whether they were handed over to the Russian authorities, or merely put across the frontier, I cannot state.

WESTERN AUSTRALIA—TRANSPORTATION.

ADDRESS FOR A PAPER.

EARL STANHOPE, in rising to move an Address for Copy of a Memorial presented to the Duke of Newcastle by a deputation of Colonists from Western Australia, and of the Answer thereto, said, they had had several short discussions this Session upon the system of tickets of leave, and the treatment of prisoners in gaols; and they were much indebted to his noble Friend (the Earl of Carnarvon) for the able manner in which he brought the subject forward, and to the President of the Council for the practical suggestion of a Committee. The Committee was now sitting, and he trusted that good would result from its deliberations. But he contended that, whatever might be their recommendations, the root of the evil could not be reached without a return, with some modifications, to the system of transportation. The subject of penal discipline had been referred to a Royal Commission; and it would be for them to say whether convicts should be sent to colonies which, after a long interval since they formerly received them, might be ready to receive them again, or whether new penal settlements should be founded. But, in the mean while, they should remember that the colony of Western Australia had never ceased to receive our convicts, and only complained that they were not sent with due selection and in sufficient numbers. Their Lordships were entitled to inquire how far the recommendations of the Committee of that House, which sat in 1856, had been carried out; and he desired to know how far the Government were prepared to accede to the prayer of the memorial which had recently been presented by colonists from Western Australia. He first called attention to this subject in the other House twenty-two years ago, when the Government at that time, in which the noble Earl opposite (Earl Russell) was Home Secretary, were abandoning the system of transportation, and resorting to the system of confining criminals in the hulks. It appeared to him that the hulk system was open to every possible objection. In April, 1841, he had carried an Address to the Crown against it by a majority of the House of Commons. The hulk system was, in consequence of that Vote, abandoned; but some years later, and from a train of other circumstances, transportation to New South Wales and to Tasmania came to be abolished. In 1856 he had moved for a Committee of their Lordships' House, which was appointed, and made some special recommendations, to which he hoped their Lordships would direct their attention. It was said, that under the existing system prisoners were not reformed, and that they only waited to be free in order to revert to evil courses. He would concede, if it were necessary, that every convict was desirous to live honestly; but in an overcrowded country like this, where the demand for labour did not equal the supply, there were insuperable difficulties in the way of men obtaining employment in the absence of good character. In the case of women the difficulty was much greater. Every one knew how unforgivingly women regarded those of their own sex who had fallen from the paths of virtue; and a woman released from prison, if she desired to get her living honestly, had but two courses open to her—either she had to assume some name and character which was not her own, or she had to take employment in her own, at the risk of seeing all those who worked with her rise up against her, and declare that they would leave unless she were immediately dismissed. The state of the labour-market in this country was a serious obstacle to persons in this position getting employment. In the colonies, however, the case was very different. There was always a demand for labour there, and it was the recognised system to ask no questions as to anybody's antecedents in the old country. The difficulty of which he had spoken had been so much felt, that at various times numerous institutions had been set up for the purpose of assisting persons released from imprisonment to obtain employment. No sooner, however, had they begun to work well than they were assailed by the cry that they were interfering with honest labour, and were seeking to place convicts in the stations which honest labourers would have filled. There could be no doubt as to the advantage to this country of a well-organized system of transportation. On this point he would cite only the opinion of the late Lord Campbell, who had said that—

> "He had passed a good deal of time in continental cities, and had conversed with the most eminent jurists there, and he had found a general concurrence of opinion as to the inestimable advantage enjoyed by this country in having colonies to which to send her convicts."

But then it was, or should be, a necessary and indispensable condition, that a system so beneficial to the mother country should also be beneficial to the colony in which it was applied. This point was very well stated by his Committee of 1856, which came to this general conclusion—

> "That a continuance of the system of transportation to some colony or colonies, with such improvements as experience has suggested or may suggest, would be highly desirable, provided that the system can be carried on with advantage to the colony and with satisfaction to the colonists."

The colony of Western Australia had always been willing to receive our convicts; in 1855 there were grievous and general complaints of the class of convicts sent out in the ship *Nile.* Since that time a better system of selection had prevailed. There was, however, stated to be of late one exception to the general discretion of the system on which convicts had been sent out to that colony; and this was a point on which he should be glad to receive some explanation from the noble Duke. Her Majesty's Government had lately decided to break up the convict establishment at Bermuda. That might be a very wise decision; but he understood that the Government had disposed of the convicts by sending them all *en masse* to Western Australia. If that were so, they had departed from the principle they had hitherto adopted with respect to convicts sent to that colony; for the practice had been to send out selected convicts only. Another point was as to the upset price of land in Western Australia. According to the recommendation of the Committee of 1856 the upset price of land had been reduced from 20*s.* to 10*s.* per acre, but there still remained the question whether, as to the gradual payment of that upset price in successive years, the system might not be assimilated to that in the colony of Victoria. On this point also he should be glad to receive some information. The noble Earl then *moved*—

> "That an humble Address be presented to Her Majesty for, Copy of a Memorial presented on the 12th of February 1863 by a Deputation of Colonists from Western Australia to the Duke of Newcastle, and praying for a more extended System of Transportation to that Colony: Also,
> "Copy of any Answer to the same."

THE DUKE OF NEWCASTLE said, he was sure his noble Friend did not expect that on this occasion he should enter into either the general question of the best system of punishment for offenders, or that of the comparative merits of imprisonment at home and transportation to the colonies. These questions were before two bodies at the present time—a Committee of their Lordships' House and a Royal Commission. Their Lordships would feel that it would be unbecoming in him, as a Member of the Government, to prejudge either of these questions after gentlemen of station, position, ability, and knowledge of the subjects, had consented to give much time to the investigation of the important problem of the treatment of our convicts. But before he proceeded to the subject of Western Australia, he wished to undeceive his noble Friend as to the circumstances connected with the transfer of convicts from Bermuda to Western Australia. Three years ago a discussion was raised in reference to the prisons of Bermuda. After full consideration of the whole question the Government came to the conclusion that it would be desirable to diminish the number of convicts sent there, and ultimately to abandon the practice of sending convicts to that island. This was a most important element in the consideration of the question—that transportation to Bermuda was not like transportation to Western Australia—Bermuda was nothing but a colonial prison. But under the system adopted several years ago the number of prisoners available for removal from this country had been greatly diminished, and the Government had to consider which of three places—Western Australia, Gibraltar, or Bermuda—they would abandon as a place for convicts under sentence of transportation. Bermuda appeared to them to be the least desirable place of the three, on the grounds of climate and facilities for enforcing discipline; and, in addition to these considerations, the fortifications and other works on which convicts had been employed there were nearly finished. It was therefore determined that the establishment there should be abandoned, and that such of its inmates as had not completed their period of punishment should be removed to Western Australia. His noble Friend, however, seemed to be mistaken as to the number of convicts so sent to the latter colony. The fact was, they only amounted to one shipload; and though there was no selection, the convicts at Bermuda, when the removal took place, were by no means of that extremely bad class which his noble Friend was led to suppose. The sending away of those convicts was hastened somewhat by the fact that the colonists of Western Australia were asking for more convict labour. In sending out convicts from this country, though some care was taken, it was impossible under existing circumstances to be so careful as to avoid sending out some very bad cases. Of the convicts sent to Western Australia in 1860 15 had been convicted of murder, 23 of manslaughter, 29 of assaults with intent to murder, 95 of robbery with violence—garotters and others of that very class respecting whom there had been so much discussion of late—31 of robbery without violence, and 16 of cutting and wounding. His noble Friend seemed to think that it would be advisable to adopt the regulations respecting land introduced in the colony of Victoria; but if he had made inquiries from persons who had had experience of that system, he would have found that the changes lately made in Victoria had not proved so successful as they were expected to be, and a wish was now expressed that they had never been adopted. At any rate, it would not be prudent to introduce such a change in the colony in question without more consideration than the subject had yet received. With regard to the cost of conveying the families of convicts to the colony, a change had been made in the repayment of this cost, and with good effects. He did not think it would be desirable to charge such an outlay upon the parishes to which these families belonged, because it was not for the sake of the parishes that they were sent out, but for the sake of morality and good order in the colony; and the Government, therefore, thought it right that that expense should be defrayed out of the Imperial Exchequer. In order to counterbalance the convict element in Western Australia, it was necessary to carry out a system of free emigration; and therefore while the number of convicts sent there during the last eleven years was 7,000, there had been a simultaneous introduction within the same period of 7,300 free labourers. It was necessary to take care not to overdo transportation in Western Australia, and this was one of the chief dangers to the continuance of the system. It was this overbalancing the free by the convict class that led to the outcry in Tasmania, and the ultimate abolition of transportation thither; and if the same system were pursued in Western Australia, precisely the same results would ensue. He could not agree with his noble Friend that the time for action had arrived, for he thought they ought to wait for the Report of the Commission; and even then it would be requisite to proceed with caution, in order that the danger he had alluded to should be avoided, and that the fears entertained by other Australian Colonies should be dispelled. As regarded the memorial lately presented to him, he should, of course, have no objection to lay it upon the table, as indeed it appeared in *The Times* on the day after its presentation. As his answer to this memorial was not in writing, having been made verbally to the deputation, he could not produce it; but the substance of the answer was, that although Her Majesty's Government desired to do all that they could to continue and improve the present system of transportation, he could give no pledge on the subject until the Report of the Commission was forthcoming; pending which time it was not the intention of the Government to make any important alteration.

Motion *agreed to.*

PRINCE AND PRINCESS OF WALES' ANNUITIES BILL—[No. 24.]

SECOND READING.

Order of the Day for the Second Reading read.

EARL GRANVILLE: My Lords, I rise to move the second reading of this Bill. In consequence of the manner in which the announcement of the Prince's marriage was received by your Lordships the other evening, I venture to anticipate that the provisions of this Bill will prove very satisfactory to your Lordships. What has passed in another place, and the feeling shown by the public, has tended to confirm that anticipation. It is hardly necessary in your Lordships' House to advert to the general topics which make your Lordships desire to give to the Prince of Wales an annuity suitable to the dignity of the Heir to the Crown. I believe there never was a country which has had so much reason to rejoice in the form of monarchical Government which has existed in this country; and it is not merely a sentimental or traditionary feeling, but is founded on what we do feel—namely, affectionate loyalty to the Sovereign on the Throne, and a desire to honour her in every possible way. In the last century, in 1715 and 1745, Parliament granted to the Prince of Wales, exclusive of the revenue of the Duchy of Cornwall, £100,000 a year. In 1795 a larger income, under peculiar circumstances, was given, amounting to £138,000; but a portion was applied to the payment of debts unfortunately contracted before by the Prince of Wales. In 1806 those debts were paid, and the Prince of Wales came into the receipt of the whole income. When your Lordships consider the different value of money, and the fact that many of your Lordships possess larger incomes, it is quite clear that the proposed provision is not immoderate. After careful examination, it appears that the net income of the Duchy of Cornwall is £60,000 a year. By this Bill it is proposed to add £40,000 a year. It is further proposed to grant £10,000 a year to the Princess of Wales as a personal annuity, and to grant her a dower in case of the decease of her husband of £30,000 a year. I believe that the Bill will meet with the cordial assent of your Lordships, and I beg to move that it be now read a second time.

Moved, That the Bill be now read 2ª.

Motion *agreed to*.

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

DURHAM UNIVERSITY COMMISSION.

MOTION FOR AN ADDRESS.

THE BISHOP OF EXETER, who had given notice—

> "To move that an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her Assent to the Sixteen Ordinances framed by the Durham University Commissioners, on the 13th of June 1862, for the Government and Administration of that University,"

said, he felt himself in a position of great difficulty, because the observations he should feel called upon to make, would seem to demand an answer which their Lordships could not give or understand, unless they had read the Ordinances, and made themselves masters of the whole subject. The right rev. Prelate, whose name stood first in the Commission (the Bishop of Durham), and who would probably think it his duty to reply on behalf of his brother Commissioners, was absent, not having had notice of his Motion; and he (the Bishop of Exeter) should be most unwilling to proceed in his right rev. Brother's absence. This, however, was the last day on which the question could be brought forward within the forty days limited by the statute; and he wished to know, therefore, whether, if the matter were now postponed, the Government would give further time for the consideration of the subject, as though it had been discussed within the forty days specified? The right rev. Prelate then formally made his Motion.

EARL GRANVILLE said, it was impossible that the Government could agree to the Motion, the effect of which, if carried, would be to render absolutely null and void the Ordinances agreed upon eight months since by the Commission, which was now extinct. That Commission was appointed, not by the Government, but by the Act of Parliament — which received the assent of the Legislature. The Commissioners were named in the Act, including the Bishop of Durham, the late master of Harrow, Dr. Vaughan, and four Members of the other House of Parliament selected from either side of the House. He had been told that the recommendations of the Commissioners were unanimously adopted. There could be no difficulty in raising the question as to these Ordinances, because by the Act it was expressly provided that any person connected with the University might appeal to the Privy Council. It was also provided that the Ordinances should be laid before Parliament for forty days, and upon an Address from either House within that time they should at once fall to the ground. The right rev. Prelate on the previous evening had questioned the legality of including within the prescribed period of forty days the sixteen days of last Session during which the Ordinances were upon the table of Parliament; but the Law Officers of the Crown had given an opinion upon the point which was quite in accordance with the view stated by the noble and learned Lord on the Woolsack. The Government were required by the Act to lay the Ordinances at once before Parliament; and there was no hardship in reckoning the sixteen days of last Session, because the public had had the advantage of considering the Ordinances during the whole of the recess. Upon the first day of the Session an hon. Member of the other House connected with the county of Durham asked a question, which was answered; but no further steps were taken. As he might be called upon to act in this matter, as presiding over the Judicial Committee of the Privy Council, he did not wish to form or to express any preconceived opinion. The right rev. Prelate asked, whether, Parliament having by its silence given its consent to these Ordinances, if at any future time a Motion upon the subject should be made, the Government would be influenced by the views of the majority. Their Lordships must exercise their veto now or never. Of course, if Parliament at any time expressed a distinct opinion upon the subject, it would be the duty of the Government to give it a careful consideration; but he could not take upon himself to say what would be the course of Government without knowing what arguments would be used in the course of debate. It was with reluctance that he found himself unable to answer the appeal of the right rev. Prelate in the affirmative; but their Lordships must exercise their veto now or never, and he trusted they would not take the strong step of rejecting the Ordinances without knowing anything of the facts.

The Earl of DERBY said, he thought the noble Earl (Earl Granville) had in some degree misapprehended the appeal made to him by the right rev. Prelate. He heard with surprise portions of the reasons why the noble Earl could not comply with that request; for, as he understood them, they were opposed to the general views entertained by the noble Earl. The noble Earl said it was impossible to comply with the request which had been made, because the Motion, if successful, would overthrow the whole of the labours of the Royal Commission and their recommendations. Of course, the result would be that the Ordinances would become null, and therefore the labours of the Commission would be rendered useless; but if it was not intended to give Parliament the power to exercise such a veto, what was the object of allowing the forty days within which Parliament should have the power of moving an Address for the rejection of the whole or part of the Ordinances? This power would be quite useless if they were to be told that they could not agree to such a Motion because the Commissioners had unanimously agreed to those Ordinances. When the noble Earl said that Parliament ought not to decide this question without being acquainted with the merits of the case, he (the Earl of Derby) quite concurred with him; but they were not, as the right rev. Prelate rightly observed, in a position to discuss Ordinances which were only placed in their Lordships' hands that morning. Without expressing any opinion as to the construction of the term of forty days, he would remind the noble Earl that the mere laying papers on the table without calling attention to them and without printing them, was no notice at all. It would have been much more convenient if at that time the Motion for their being printed had been made, and then the Members of both Houses would have had them during the six months' recess. The noble Earl was mistaken in the representation which he gave of what occurred in the other House. He said that at a very early period of the Session a question was asked by an hon. Member nearly connected with Durham; that having received an answer, he took no further steps; and that therefore it was to be assumed that it was not then thought convenient to discuss the question in the presence of four Members of the Commission. That is not a correct representation. The fact was, the hon. Gentleman asked the question as to those Ordinances, and followed it up by a question asking the Government to allow the evidence taken before the Commission to be printed, so that the House might form a better judgment on the merits of the case. Was that refused? Certainly not; it was assented to, the Government acknowledging the reasonableness of Parliament having the evidence before them, and they promised to lay that evidence before the House; but it had not yet been printed, so that all the cause of the delay was not attributable to those who questioned the excellence of these Ordinances. The question of the right rev. Prelate was simply whether the Government would undertake not to decide, notwithstanding the expiration of the forty days, to recommend Her Majesty to give Her sanction to these Ordinances. He was aware that if Her Majesty confirmed these Ordinances Parliament had no longer any power to overthrow the whole or part of them; but he was fully convinced, though their legal power might have ceased to exist, that any Address to the Crown from either House of Parliament would not be treated by Her Majesty's Government or any other servants of the Crown, who knew their duty to it and the country, with indifference. He thought the request of the right rev. Prelate a most reasonable one, and one which should be acceded to; more particularly when they remembered that there was a petition on this subject before the Privy Council, and that the Crown could not give its assent till that petition was disposed of. He did not therefore think they were asking much in requesting that the Royal Assent should be withheld until they had an opportunity of acquainting themselves with the facts and discussing the question. He begged to call their Lordships' attention to what the circumstances were under which this Motion was made. The right rev. Prelate who made this appeal was, he believed, the sole survivor of the original founders of that institution, which was now about to be remodelled. Thirty years had not yet elapsed since its original foundation, and some of the donors to that foundation were still living. The right rev. Prelate was a member of the Chapter when the foundation took place; and he must say that a very strong case was necessary in order to justify them in overriding the intentions of the founders within a period of thirty years, and in the lifetime of the donors to divert to purposes wholly alien the funds they had subscribed. He would mention one case:—A lady was still living who had founded a fellowship and a scholarship; the fellowship was, he believed, of £100 a year, for ten years; but the amount of the scholarship he had forgotten. These were by the Ordinances to be thrown into the common fund, and during the lifetime of this lady a scheme had been proposed by which the funds were to be diverted from the purposes she had intended. The Commissioners, however, had had the kindness to assure her, as a matter of grace and favour, that no alteration should be made during her lifetime; but the moment of her death, her intentions were to be wholly disregarded. He would not enter into the merits of this question, his only object being to show that the application of the right rev. Prelate to have these Ordinances discussed was not an unreasonable one; while, on the other hand, there seemed something gratuitous in the noble Earl's refusal.

Earl GRANVILLE said, he thought the noble Earl opposite had stated this question rather unfairly. He (Earl Granville) had already stated, and he was ready to repeat, that not only on this question, but on all others, it became the duty of the Government, after the lapse of the specified period, and in absence of any Address in either House of Parliament, to advise Her Majesty to give effect to the Ordinances which had been issued. The Government were prepared to give the most respectful consideration to any decision of their Lordships' House—but the noble Earl asked them to go beyond the period limited by Act of Parliament. He could not help saying that would be making a most dangerous precedent. A certain time was given by Act of Parliament during which either House might interpose; it was perfectly clear that all parties were cognizant of the Ordinances for seven months; and it would be unwise in such a case for Government to exceed the limit prescribed by Parliament. But beyond this the question was really a most useless one; for the noble Earl had proved that practically the matter was in the hands of the Dean and Chapter of Durham, because until every one of the petitions before the Privy Council had been withdrawn, or had been discussed, it would be utterly impossible for the Government to advise the Queen to give her sanction to these Ordinances. Both the question and answer therefore appeared to him the most delusive that could well be proposed.

The Bishop of EXETER said, that the noble Earl (Earl Granville) had said very truly that it was no surprise upon him (the Bishop of Exeter) that the consideration of these Ordinances was to take place before the Privy Council. But he had never professed to be surprised at all. He had only wanted that their Lordships should have an opportunity of exercising their constitutional power when they should be properly informed of the merits of the case. He must, however, be permitted to say that these measures which delegated Parliamentary powers to Commissioners seemed to him, who was an old-fashioned fellow, to require very cautious consideration. He would say that he did not think that he was speaking in an unconstitutional spirit when he said that they demanded a special jealousy. A Commission was issued, and the Commissioners were to make inquiries, and upon these inquiries to make Ordinances, which Ordinances were to obtain the absolute stringency of law unless Parliament assumed its power in proper time of addressing the Crown to withhold its sanction.

The Earl of DERBY, interposing, said, that the Ordinances would not have the force of law if simply Parliament did not interpose. If Parliament did not interpose, it would then be lawful for the Crown to give or withhold its sanction.

The Bishop of EXETER thanked the noble Earl for correcting him. The Crown was permitted, in the event of Parliament not interfering, to legislate without the co-operation of Parliament. He had no fear of the noble Earl (Earl Granville) exercising any such power unconstitutionally or unfairly, but they were bound to look to possibilities when the prerogative and the interests of the people were concerned; and it seemed to him that they were also bound to be extremely cautious in suffering power to be given to the Crown to issue Commissions which were to frame ordinances and to exercise corresponding powers. The noble Earl said there would be an opportunity for them to take cognizance of this matter. But had their Lordships at present had time to do so? The other House of Parliament was interested, and the whole country was interested; and yet, he would ask, did the country or even their Lordships know anything about the matter? These Ordinances had only been put into their hands that morning, and beyond himself, he did not believe that any other Member of their Lordships' House had previously been in possession of them. As far as that House was concerned, they had not had the evidence printed, and therefore it had been kept from the knowledge of their Lordships. He agreed that it would be unfair to the right rev. Prelate who was upon the Commission (the Bishop of Durham) to discuss this question in his absence, especially as he was the only Member of the Commission who was in their Lordships' House, and he therefore felt that it would be much better to leave the discussion to take its course before the Privy Council than at present to induce their Lordships to come to a vote upon the subject. He would, therefore, not press his Motion.

The Earl of DERBY hoped that the noble Earl would not object to lay upon the table the evidence taken before the Commission, and which had been laid upon the table of the other House.

Motion (by leave of the House) *withdrawn.*

House adjourned at a quarter before
Seven o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 27, 1863.

Minutes.]—Select Committees.—Of Selection, *Second Report;* on Ordnance, Colonel Dunne *added.*

Supply—*considered* in Committee—Resolutions 1 to 9 [February 26] *reported,* and *agreed to.*

Public Bills.—*First Reading.*—Innkeepers' Liability (No. 2) [Bill 43].

Second Reading.—Tobacco Duties [Bill 21] (*Debate further adjourned*).

Committee.—Bills of Exchange and Notes (Metropolis) [Bill 33].

Report.—Bills of Exchange and Notes (Metropolis) [Bill 33].

Third Reading.—Bills of Exchange and Notes (Metropolis) [Bill 33]; and *passed.*

COMMERCIAL TREATY BETWEEN FRANCE AND ITALY.

QUESTION.

Mr. W. E. FORSTER said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the Foreign Office has in its possession a Copy of the Commercial Treaty between France and Italy now waiting ratification by the Italian Parliament, and also a Copy of the new Italian Tariff; if so, whether he is prepared to lay these documents upon the table of the House; and, if not, whether he is aware that several days ago these documents were laid upon the table of the Italian Chambers by the Italian Minister?

Mr. LAYARD, in reply, said, the Commercial Treaty between France and Italy, as soon as it was ratified by the Italian Chambers, would be communicated to Her Majesty's Government, and by them be laid before Parliament at the earliest practicable moment. Her Majesty's Government had recently received a confidential communication with regard to the Treaty, but it was not of a nature which could be communicated to the House.

Mr. W. E. FORSTER said, he must remind his hon. Friend that he had not answered the latter part of the Question.

Mr. LAYARD said, there was no doubt that the Treaty had lain for some days on the table of the Italian Chamber, awaiting ratification.

CONVICT ESTABLISHMENT AT BERMUDA.—QUESTION.

Captain JERVIS said, he would beg to ask the Secretary of State for the Home Department, Why the Convict Establishment at Bermuda has been broken up, and where the convicts have been sent to?

Sir GEORGE GREY said, in reply, that if the hon. and gallant Gentleman would refer to the Report of the Select Committee on Transportation, he would find all the reasons stated in detail which induced the Government to think that the establishment ought to be broken up. Since the early part of 1859 no convicts had been sent to Bermuda. Between 200 and 300 were conveyed last year from Bermuda to Western Australia; and at present the number was so small that in the course of the present spring the establishment would be wholly discontinued.

APPOINTMENT OF MR. REED.
QUESTION.

Sir JOHN PAKINGTON said, he hoped that both for the public interest and for the satisfaction of the House, the question which had been twice raised by the hon. and gallant Member for Chatham (Sir Frederic Smith) would now receive an answer. He wished to ask the Secretary to the Admiralty, Whether he can inform the House that Mr. Reed, previous to his employment by the present Board of Admiralty, had ever drawn the lines, or prepared the models, or superintended the construction, of any man-of-war or other ship? In putting that Question it would be understood that he referred to the models of ships which had actually been built and completed.

Lord CLARENCE PAGET: As Mr. Reed is just about to appear before the House, I hope it may be thought better that I should defer answering that Question.

ARRANGEMENTS AT THE RECENT LEVEE.—QUESTION.

Sir MINTO FARQUHAR said, in the absence of the hon. Member for Dorsetshire (Mr. Sturt), he hoped an answer would be given to the Question put to the Government on the previous day respecting the crowding at the Levee on Wednesday last.

Sir GEORGE GREY: When the hon. Gentleman the Member for Dorsetshire put his Question yesterday, I had no notice of it. He has since told me that he had given notice to a member of the Household of his intention to put his Question; but at the time I knew none of the facts. In consequence of that Question, I wrote to the Lord Chamberlain for information on the subject. He has informed me that the Levee of Wednesday must be considered an exceptional one. No less than 3,000 gentlemen attended, and the accommodation ordinarily available on such occasions is not calculated for more than 1,500; but he adds that a large room, where seats are placed for the accommodation of ladies attending Drawing-rooms, was thrown open, and efforts were made to induce gentlemen to wait there till their turn came for presentation. But I believe that in their anxiety to reach the presence of the Prince of Wales they all pressed forward towards the Throne-room. The Lord Chamberlain assures me that every effort will be made on future occasions to prevent the disorder which then prevailed, and I only hope gentlemen attending these Levees will endeavour to co-operate with the Lord Chamberlain and his officers in effecting their object.

RECEPTION OF THE PRINCESS ALEXANDRA.—QUESTION.

Sir ROBERT CLIFTON said, he rose to ask the Secretary of State for the Home Department, Whether there is any truth in the statement in *The Times* of yesterday, that he has written to the authorities of the City as to changing the ceremonial upon the reception of the Princess Alexandra?

Sir GEORGE GREY:—No, Sir; I have not given any instructions for changing any ceremonial that I was informed had been adopted for the reception of Her Royal Highness in this country. But I will state what has taken place. My endeavour has been, acting in obedience to Her Majesty's commands, and in concert with those whose duty it is to take a share in making arrangements for the reception of Her Royal Highness, that those arrangements should be such as best to gratify the very general and laudable desire to do honour to Her Royal Highness on her arrival. Some time ago, I informed the Lord Mayor that the Princess Alexandra, accompanied by the Prince of Wales and her Royal parents, the Prince and Princess of Denmark, would drive through the City of London and the metropolis, *en route* from Gravesend to Windsor Castle. I may state that this is not intended to be what is technically called a State Procession; Her Royal Highness and suite will drive from the railway station in six open Royal carriages, if the weather should fortunately permit, attended by an escort of Life Guards. When this became known, a very general desire was evinced, not only by the authorities of the City of London—who are always prominent in every loyal demonstration—but by the local authorities of other parts of the metropolis through which the route will lie, to take a part in the demonstration which would express their loyal attachment to the Throne, and their desire to do honour to the Princess. With this view, it was proposed that the civic and municipal authorities through whose respective jurisdictions Her Royal Highness will pass, should, within the limits of their respective jurisdictions, be allowed the fullest opportunity of co-operating in the proceedings of the day. In consequence of a request urged upon me by a deputation from the Borough of Southwark, it has been arranged that the High Bailiff of Southwark, attended, as I have no doubt he will be, by the two representatives of that borough, and by some other official persons, should be present on the arrival of the Princess Alexandra at the Bricklayers' Arms station of the South Eastern Railway, which lies within the precincts of the borough of Southwark. The Lord Mayor having expressed a wish that he and the Sheriffs of London and Middlesex should also be present at the station, that wish was at once acceded to, subject only to the condition that the long line of carriages that it is understood will convey the other authorities of the City, and the representatives of the different London Companies, should not join at the station, which is beyond the municipal boundary, but should meet the Royal carriages at the limits of their jurisdiction at London Bridge, and should accompany them throughout the whole line of the City to its western extremity at Temple Bar. It is also proposed, in consequence of another request, which it seemed only reasonable to grant, that the Court of Burgesses of the City of Westminster—headed, as I am informed, by the Duke of Buccleuch, the High Steward of the borough, and accompanied by the Dean and other dignitaries, should take the place of the City authorities at this point, and attend Her Royal Highness during that further portion of her route which lies within their jurisdiction. In compliance with other applications, the carriages of a limited number of representatives of the different parishes through which the Royal procession will pass, will be afforded the opportunity of taking part in this loyal demonstration. A difficulty, no doubt, arose in consequence of the wish of the civic authorities not to stop when they reached the western limits of the City at Temple Bar. On the other hand, if they are suffered, with a long line of carriages, to precede the Royal Procession throughout the western portion of the route, there must be a material interference with other authorities beyond the City limits, who had an equal desire and an equal right to take part in the proceedings of the day. It has, however, been intimated to the Lord Mayor by the Lord Chamberlain, that provided arrangements can be made—and no doubt they will be made, if all parties heartily concur—whereby on their arrival at the western confines of the City the metropolitan authorities, having led the way so far, give place to the other authorities, who will then take up the procession at that point, no interference at all will be made with the order in which the civic dignitaries may wish to follow. I believe, under these circumstances, the arrangements will be such as not only to secure to the inhabitants of the metropolis generally the best opportunity of witnessing and welcoming the arrival of the Princess in London, but will also give to all parties concerned, without favour or partiality, the full advantage of sharing in the proceedings of the day, which I trust will be as gratifying to the Princess Alexandra as I am sure they will be to all the loyal subjects of Her Majesty in the metropolis.

Sir GEORGE BOWYER asked whether the City authorities would be allowed to go beyond Temple Bar?

Sir GEORGE GREY: Not as preceding the procession. I should state that an application was made on the part of the Sheriffs of London, who are also Sheriffs of Middlesex and have jurisdiction beyond the City, to continue in their place in the procession, and their request has been acceded to.

Mr. LOCKE said, unfortunately he was not in the House when the right hon. Baronet made his statement. He wished clearly to understand what would be the position of the Borough he had the honour to represent relatively to the authorities of the City of London, and with regard to what the City of London is to do there.

Sir GEORGE GREY: I thought I had already sufficiently explained that the High Bailiff of Southwark, attended by some of the authorities of that Borough, and I believe by my hon. and learned Friend who has just sat down, and his colleague, will be in attendance within the station at the Bricklayers' Arms, there to receive Her Royal Highness. The details are, of course, to be arranged with the Directors, but full information will be given them; and I believe a number of carriages, not to exceed six in the whole, will accompany the Royal carriages as far as London Bridge. The Lord Mayor and Sheriffs, having been present on the arrival of Royal personages at that station on previous occasions, will also be permitted to attend. I do not know whether the Lord Mayor and Sheriffs claim to have any jurisdiction in Southwark; but, I believe, they appoint the High Bailiff of Southwark, and as their claim to be present has been conceded in former instances, I have thought there could be no objection to their being in attendance at the station on the arrival of the Princess. The same permission has been given to the Lord Lieutenant of Surrey and the Representatives of that county.

Mr. LOCKE: The question of precedence does not appear to have been settled. It is not stated whether the Borough of Southwark is to lead the cavalcade to the bridge.

Sir GEORGE GREY: I have no doubt I shall be able to satisfy my hon. and learned Friend if he will communicate with me out of the House.

BREACH OF PRIVILEGE.—ATTENDANCE OF MR. REED.

Order for the attendance of Mr. E. J. Reed read,—And the House being informed that Mr. Reed attended accordingly, he was called in; and, having acknowledged that he had addressed the Letter complained of to Sir Frederic Smith, a Member of this House, Mr. Speaker acquainted him that his Letter had been adjudged to be a breach of the privileges of this House, and asked if he had any explanations to offer in respect of that Letter.

Mr. Reed: Sir, I was not aware that I was committing a breach of the privileges of this House when I wrote that letter, or I certainly should never have written it. Finding now that I have committed an offence, I beg to tender to the House the most ample apology that I can offer, and I beg the pardon of the House for having offended against its rules. To the hon. and gallant Member for Chatham I beg to tender a double apology—in the first place, for having written any letter at all to him concerning remarks made by him in this House; and, secondly, for having employed in the letter I did write phrases, I confess, of great impropriety. I am quite confident now that I wrote that letter under great irritation; that the hon. and gallant Gentleman was entirely misunderstood by me on Monday evening, and that he did not intend to do me any injustice. I hope, Sir, that this apology will be deemed satisfactory by the hon. and gallant Gentleman, and the more so as I have a very deep sense of the estimation in which the hon. and gallant Gentleman is held by the public, by this House, and by his honourable profession.

Then he was directed to withdraw.

Sir FREDERIC SMITH: It was in the performance of a public duty that I brought this question before the House. I am gratified that the House has shown by its vote that it is satisfied that I have so acted. I think that the course I have taken was a proper one in all respects; and there is no better proof of this than the satisfactory apology—most satisfactory to my mind—which has just been made by Mr. Reed. I hope the apology made by Mr. Reed will be as satisfactory to this House as it is to myself. I think that I have vindicated the honour and dignity of the House in the course which I have taken. As a humble Member, of this House, and little acquainted as I am with its forms, I trust I have done that which my hon. Friends here will approve. And, Sir, being satisfied as I am with the apology which Mr. Reed has made, with its manner, tone, and expression, I should not think I had performed my duty to this House, to my own feelings, and to Mr. Reed if I did not express a hope that the House will consent to Mr. Reed's being discharged from further attendance. I therefore beg, with the permission of the House, to move—

> "That Mr. Reed, having duly apologised to the satisfaction of this House, be now excused from further attendance here."

Mr. ARTHUR MILLS seconded the Motion.

Motion *agreed to.*

Resolved, That Mr. Reed, having fully apologized to the satisfaction of this House, be now excused from further attendance on this House.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

AFFAIRS OF POLAND.

ADDRESS MOVED.

Mr. HENNESSY:—Mr. Speaker, In the Session of 1861, when I presumed to ask the attention of Parliament to the state of Poland, I was met by the stereotyped reply, that Poland was not a practical question. In the following Session, when I had the satisfaction of co-operating with my hon. and learned Friend the Member for Tiverton in again calling attention to the state of Poland, we received the same answer. Sir, I venture to affirm that, whatever tone may now be taken by the Government, the old reply will not be given to-night. Since 1861 Poland has become, in the estimation, I believe, of every Member of this House, not only a practical but a momentous question. In 1861 events were taking place in Poland that were little understood in other parts of Europe. It was then said that the endurance and passive attitude of the Poles were an indication that under the pressure of three great Powers the heart of Poland could not beat. I thought, on the contrary, and I ventured to express the opinion here, that the great forbearance of the Poles was a proof of implicit trust in their leaders, of confidence in their cause, and of faith in the future. Now, we see that all is changed. Universal forbearance has suddenly been transformed into universal revolt. How has this happened? Not because of domestic conspiracies or foreign influences. No; it is due to the Russian Government that the attitude of the Poles has been changed; it is in the conduct of the Government that we are able to discover the proximate cause of the national outbreak.

Early in the year 1862 an Imperial ukase was issued which promised reforms, and appeared to confer privileges on the Poles. On the 10th of June, 1862, the Emperor appointed the Grand Duke Constantine his Lieutenant in Poland, and the Marquis Wielopolski to assist him. The Grand Duke Constantine solicited the Polish nobles to confer with him on the wants of Poland. The nobles, the great landowners, and the municipal bodies responded to that appeal. It was not alone from the Emperor of the Russias and from his Lieutenant the Grand Duke that words of advice were addressed to the Poles, telling them to petition for a liberal form of government. When I called the attention of the House to the state of Poland, there was seated in the Peers' gallery a Pole of high rank and influence from the province of Podolia, who overheard the words spoken from the Treasury Bench by Lord John Russell. That noble Lord was then making his last speech in this House, and he said to the Poles—

> "I believe your interests point to tranquillity, and to petitions and requests for a more liberal form of government, and for institutions similar to those which were granted from Vienna."

What was the consequence of following that advice? The *maréchal de noblesse* went back to his own country shortly after the noble Lord had made that speech. The ukase to which I have referred was published, and the nobles of Podolia assembled; 300 of them met, the *maréchals de noblesse* at their head, and an address to the Emperor was drawn up, in which they said—

> "Rejecting all thoughts of the predominance of any particular race or class, the Podolian nobles remain true to the fundamental Polish idea of giving to all classes the same political rights, and they require union with Poland because they see in such union the foundation of free institutions. The situation of the country is very bad—a people without means of education; the laws opposed to the customs, traditions, and interchange of opinions; the execution of the laws rendered nugatory by an administration foreign to the country, and concentrated beyond the pale of the national wants and interests, and, finally, a population without organs selected from its own body for the purpose of directing its affairs."

What was the result of that address? I hold in my hand three letters describing the fate of the nobleman who had heard the advice of Lord Russell, and had followed it. One of the letters is dated from a prison at St. Petersburg, and the other two from Warsaw, describing what had happened. The last letter is dated the 16th of February, 1863, and is written by a near relative of the unhappy nobleman in question. It says—

> "The *maréchal de noblesse* whom you have seen in England is now immured in the prison of Petropaulovski, condemned for fourteen months, with eleven of his companions, to cruel and inhuman treatment."

So much for following the advice given to the Poles by Her Majesty's Ministers; so much for accepting the hypocritical counsel of the Russian authorities. I mention this incident mainly for the purpose of illustrating the conduct of the Grand Duke as far as it affected the higher classes in Poland. But every class in Poland felt the pressure of the Russian Government; because during the time of which I am speaking, and since October, 1861, a state of siege prevailed. I have said that the Grand Duke Constantine also invited the municipal authorities and town councils to confer with him upon the condition of the people. The town council of Warsaw, acting upon that invitation, sent to the Grand Duke a report dated July 20, 1862, on one of the prisons of Warsaw. The report began by saying that—

> "The total number of men and women arrested from the beginning of the year 1862 to the 19th of July, was 14,833."

The description of the room in which the political prisoners were confined was as follows:—

> "Room No. 18, the same small size as the other two, except that it is but half their width, contains thirty men, arrested for not carrying lanterns at night. This room has no furniture and only one small barred window. There is so little space that the men in it can neither lie down nor move about with freedom. There is scarcely a breath of air, and the close packing of these thirty persons is an unprecedented instance of disregard of human life."

The report closed with this sentence—

> "Considering, first, that the number of people arrested during the past half-year amounts to nearly one-tenth of the whole population of the town, and to one-fifth of such population, excluding children; second, that among those arrested are persons detained for the most trifling inattention to the decrees of the police, and mothers with little children, even children of four years old and children at the breast are often arrested—the Deputy President and the delegates of the Municipal Council consider it most expedient to take immediate steps to put a stop to this evil."

I am not quoting newspaper correspondents, or private letters, or any anonymous authorities—I refrain from relying on such information in a question so grave as the treatment of political prisoners, lest any person should accuse me of exaggerating; I have quoted from the report of the Town Council of Warsaw upon one of the prisons of the town. There were two or three other addresses from provincial councils in reply to the invitation of the Russian Government. The address of the provincial Council of Piotrkow, dated November, 1862, has a peculiar significance now—

> "The Council also feels it its duty to call the attention of the authorities to one of the chief causes of the present position—the want of men qualified for the various kinds of labour. Between the years 1833 and 1856 many thousands have been recruited for the army from this province, constituting the cream of the population, and not leaving enough men for labour. These recruits were sent thousands of miles away, into strange lands, for many years, were attacked by a dreadful mortality in consequence of the climate, and returned, their numbers reduced to 498, not only useless, but a burden to their province. For these reasons the Council has felt it to be its duty to protest against any recruiting for the army which might be carried into effect on similar principles, and, above all, against a system which, by calling to the army the majority of persons belonging to the educated or mechanic class, would deprive the province of every means of self-development or progress. It is of opinion that the retention of recruits in their own country, with due protection for their language and religion, which are the only treasures left to a nation under foreign rule, could alone render a conscription tolerable to the population of this country; any other will always be considered as something worse than the heaviest of misfortunes."

I have read these extracts to the House as a statement of the Polish case by the only official element left in Poland. But that is not all. In accordance with the request of the Grand Duke Constantine, Count Andrew Zamayski in open day suggested the policy which he thought best suited for the country. Nothing could be more moderate than the document which was drawn up by that much respected representative of the country gentlemen of Poland. Nevertheless, for that act of petitioning Count Zamayski was summoned to St. Petersburg, he was exiled, and he is now in banishment with his brother Ladislaus. Sir, I have received authentic information of what passed at the remarkable interview between this illustrious Polish exile and the Russian Czar, and I beg to call attention to the extraordinary language addressed by the Emperor himself and by Prince Gortschakoff to Count Zamayski. The Emperor said, "The only way to govern Poland, I see now, is by terror." And, on leaving the presence of the Emperor, Prince Gortschakoff said to the Count, "If you force us to it, we will make Poland a heap of ashes and corpses." And, again, Prince Gortschakoff said, "It has long been the conclusion of the Imperial Government, and remains so, that the only course to be pursued in reference to Poland is a policy of extermination." That policy the Russian Government have endeavoured to carry out, and the means they have adopted for that purpose are boldly described by their own official organs. Of these the most notable was the conscription. That great idea of the Grand Duke may fairly be called a device for converting barrack-rooms and fortresses into political prisons. According to their own admission, they hoped, in this way, to seize and secure every person opposed to their policy. The conscription was directed against the towns alone, against certain classes alone, and its object was defined. And how had it been carried out? I hold in my hand numerous letters describing it. But the House will not need any such documentary proof in the face of the statements made in another place by an eminent authority (the Earl of Ellenborough), and in the face of the fact that those statements had received the sanction of Her Majesty's Secretary of State for Foreign Affairs, and had not been contradicted. It appears that the Russians at one o'clock in the night—the order having been made on the previous evening—surrounded the houses of the shopkeepers, middle classes, and professional people in Warsaw, dragged them from their beds and carried them off. The Russian official journal of Warsaw, on the 15th of January, thus described the time of the conscription:—

> "Between the hours of one and eight o'clock this morning the levy of recruits for the army has been accomplished in the town of Warsaw."

The official journal, having stated that fact, went on to state what was not fact, but what was intended to produce, and did produce, a great result. It said that—

> "Never in the course of the last thirty years had men so taken shown so much readiness and goodwill, and when lodged in the town hall they actually became joyful at being now freed from the influence of evil men."

That official notification concluded by stating that—

> "It is likely that the same measures will meet with the same satisfactory results all over the country."

Sir, under these circumstances, I ask, what were the Poles to do? Here was this conscription, unprecedented in the history of civilization, and here was the official journal of Warsaw telling the people that it was to be carried out in the other parts of Poland. What were the Poles to do? It has been truly said that by "uncalculating despair" they were driven into insurrection. But, as surely as the conduct of the people was uncalculating, the policy of the Government was premeditated. The civil Governor of Warsaw, the Marquis of Wielopolski, has openly boasted that he drove the people into insurrection, observing that he had done his duty, and that it would now rest with the military authorities to discharge theirs. What do we now see? The whole Polish nation of one mind—a universal insurrection, or rather a universal resurrection of the people; and, though without arms and without the slightest previous preparation, the insurgents day after day extending the area they had opened in Poland. Day after day the Russian troops are defeated, and the heroic struggle is absorbing the admiration and anxiety of Europe. This success arises from two causes—First, because the whole nation co-operates with the insurgents; and, secondly—and this is not an insignificant fact—because among the troops of Russia there exists a spirit of inevitable insubordination. One Russian officer, leading on his men to attack a party of insurgents, when he came in sight of them, called his officers around him and said, "My conscience as a man points in one direction, and my duty as an officer in an opposite," and that unfortunate soldier committed suicide. Accounts also reach us of Russian troops leaving towns in the morning to attack insurgents and coming back in the evening unwounded and disarmed. What does that mean? It means that even the Russian troops to some extent entertain a friendly feeling for Poland, and are sensible of the disgraceful position which Russia has assumed.

It may be asked, why should a Member of the British Parliament presume to interfere in this matter, and what has the House of Commons to do with it? To such inquiries I answer, that not only is Poland a practical question now, but that it is beyond all doubt an English question. It is an English question, because England is bound by a treaty entered into between this country, Russia, and other Powers of Europe with regard to Poland. If I can show that England is bound by that treaty—that the treaty has never been abrogated with the consent of England, and that it has been violated by Russia—I must leave the House to draw its own conclusions as to what should be the policy of this country.

There has been a great deal of misconception about the precise value to the Poles of the Treaty of Vienna. That the treaty is of some value to Poland might be inferred from many well-known facts. Lord Castlereagh conducted the Vienna Conferences on the part of England, and in February, 1815, he laid down as the basis on which he entered into the negotiations of Vienna the wish constantly manifested by the British Government to see Poland an independent

State, more or less of considerable extent, over which there should reign a distinct dynasty, and which should form an intermediate Power between the three great monarchies. From that basis Lord Castlereagh was reluctantly driven, for he was not able to secure an independent Poland under a distinct dynasty ; but he secured for Poland that which he deemed of vital importance to the Poles, and to the peace of Europe, a constitutional independence. That the first fourteen articles of the Treaty of Vienna should be devoted to that country, showed the importance the Great Powers attached to these obligations, and confirms the judgment of Talleyrand that Poland was the first, the greatest, and the most eminently European question that could be brought before the Congress of Vienna. I am not going to give my own interpretation of the articles of the Treaty of Vienna concerning Poland ; but, for my present purpose, I will only rely on the interpretation of them given by two eminent authorities — the Emperor of Russia himself, and the noble Viscount on the Treasury Bench. After the treaty was negotiated, the Emperor of Russia, addressing the Poles, stated that they had received a constitution preserving in public enactments the Polish language, restricting public appointments to the Poles, and establishing freedom of commerce and a national army. In a yew years the Emperor addressed the Poles again, and told them that their restoration was defined by solemn treaties and sanctioned by a constitutional chart ; and that the inviolability of these external engagements, and that constitutional law, insured for Poland henceforth her place among European nations. The first address was delivered by the Emperor of Russia in 1815, and the second in 1818. During the negotiation of the Treaty of Vienna, the noble Viscount now at the head of the Government was a Minister of the Crown ; and he was in the Foreign Office during the various infractions and final destruction of the treaty rights of Poland. I appeal, then, to the noble Viscount to say whether that treaty has not been systematically violated by Russia. In 1861 the noble Lord used remarkable words, to the effect that the course pursued by Russia constituted a complete and decided violation of the Treaty of Vienna ; that the stipulations of the treaty were broken almost as soon as they were concluded, and that perhaps the greatest violation of a treaty that had ever taken place in the history of the world was that which had taken place in the case of Poland. Though these words were used when Poland was thought to be only an abstract question, they are of paramount importance now. Yet it is even more important to observe what was the language of the British Government on the occasion of the Polish insurrection in 1831, and to ascertain whether or not they then asserted that Russia had violated her treaty engagements. For thirty years the despatches which determined and defined the policy of this country in 1831 were concealed from the Parliament and the people of England. The distinguished General opposite (Sir De Lacy Evans), who I am informed will do me the great honour of seconding my address, moved three times for those papers. Motion after Motion was made to the same effect by other Members, but the Government persistently refused to produce them. Thanks, however, to Earl Russell, they were laid upon the table in compliance with a Motion which was made the Session before last. The noble Earl, then a Member of this House, in agreeing to my Motion, said that so many years had elapsed that there could no longer be any harm in allowing the despatches to be published. Those documents disclosed some very important facts. It appeared that in 1831 the noble Viscount now at the head of the Government, again and again told the Russian Government that they had not carried out the provisions of the Treaty of Vienna, and that they had violated that treaty. Indeed, in one despatch the noble Viscount distinctly protested against that violation. In writing to Lord Heytesbury, on the 22nd of March, 1831, the noble Viscount expressed himself as follows :—

> "By Article 1 of the Treaty of Vienna it is stipulated that the Poles, subjects respectively of Russia, Austria, and Prussia, shall obtain a national representation and institutions regulated according to the kind of political existence which each of the Governments to which they belong shall think it useful and fitting to grant them. It is understood, that although this stipulation has been executed by Austria and Prussia, it has hitherto been entirely unfulfilled by the Russian Government. His Majesty's Government have been informed by the French Ambassador at this Court that instructions have been sent to the Duke de Mortemart to draw the attention of the Russian Government to this matter, and the French Government have expressed a wish that your Lordship might be instructed to support the Duke in his representations on this subject."

But the next sentence renders all this nugatory. The noble Viscount, turning to his Russian vocabulary, says—

> "Your Lordship will, of course, be careful not to take any step on this business which could lead to any unfriendly discussions with the Russian Government, with whom His Majesty's Government are, under present circumstances, more than ever desirous of keeping up the closest relations of friendship. But if the question should be agitated, your Lordship is instructed to state that, as far as His Majesty's Government are informed of the facts of the case, it does not appear to them that the provisions of the Treaty of Vienna applicable to the Polish provinces of Russia have been hitherto carried into execution.
>
> "I am, &c.,
>
> "PALMERSTON."

That despatch, though tinged with a Russian spirit and meaning nothing but words, and though from its reservations utterly valueless in 1831, is of value now; for it establishes the fact that at a critical moment, when the insurrection was raging, the noble Viscount stated that the treaty had not been carried out by Russia. In the same year another despatch was written by the noble Viscount, of which the people of England had heard but little, a despatch to which it was important their attention should be directed at the present moment. In 1831 the Government of Louis Philippe, a most cautious and peaceful Sovereign, addressed a despatch to the British Government, asking them to co-operate in endeavouring to secure for Poland those institutions which were guaranteed by the Treaty of Vienna. The note of Count Sebastiani, which was communicated by Prince Talleyrand to Lord Palmerston, was in the following terms:—

> "Paris, July 7, 1831.
>
> "Mon Prince,—The King, touched by the evils which the Polish war has already caused to two nations in which he takes so lively an interest, eager to insure the maintenance of peace, compromised daily by so prolonged a contest, and no less engaged in preserving the West of Europe from the fearful sufferings which this war entails, has addressed himself confidentially to the Emperor of Russia, in order to put an end to so many disasters, and to bring to an end blood-shedding over which humanity has only too long groaned. The King's intention was also to preserve the political existence of a people which has showed itself so worthy of it by so great courage and patriotism, and which has the guarantee of the Treaties of Vienna for its nationality. Up to the present time the King's efforts have not achieved the results which he had the right to expect. Notwithstanding their small success, His Majesty does not consider it his duty to renounce the generous and pacific mediation which his personal feelings recommend, and which the condition of Europe prescribes to him. He believes, especially, that were England to act in agreement with France for giving to this salutary intervention all the force of which it is susceptible, the effect might be made certain by the combination of these two Powers. The King is sufficiently acquainted with the feelings which animate His Britannic Majesty to entertain the hope that he will not refuse to give his frank and complete adhesion to our advances, and to join his powerful action to our efforts, at a time when the question of the welfare of humanity and of the general interest of Europe transcends all others. The desire of His Majesty, mon Prince, is that you should make immediate and pressing overtures to the English Government with reference to this subject: we are awaiting their result with much impatience. "Accept, &c.,
>
> "HORACE SEBASTIANI."

The noble Viscount, in replying on the 2nd of July, 1831, wrote as follows:—

> "The object of the communication which it is now proposed that France and England should jointly address to Russia is an immediate cessation of hostilities, with a view to negotiations for the purpose of re-establishing peace between the contending parties by some lasting arrangement; and it appears from Count Sebastiani's despatch that a proposition to this effect has already been made to Russia by France, but hitherto without success. Can it, then, be expedient to make a proposal which there is no ground to hope would be accepted? The effects and bearing of the contest upon the security of other States have not hitherto been such as to warrant measures of such a description; nor has the conduct of Russia towards England been calculated to excite any unfriendly feeling; she has, on the contrary, performed towards this country all the offices of a good and faithful ally, and, in the late difficult negotiations for the purpose of effecting a settlement between Belgium and Holland, she has acted with perfect fairness in her co-operation with the other four Powers. Under these circumstances, His Majesty, deeply lamenting the calamities of a disastrous and desolating contest, does not think the time has yet arrived when he could be justified in adopting a proceeding which, however conciliatory in form, could not fail to alarm an independent Power, naturally jealous of its rights. For these reasons his Majesty feels himself under the necessity of declining the proposal which the Prince de Talleyrand has been instructed to convey."

The noble Viscount spoke of the "rights" of Russia; but the fact was Russia had long before lost any rights she possessed in Poland, by her violation of her engagements. I shall not at present presume to offer any opinion upon this memorable despatch of the noble Viscount in 1831. I simply draw the attention of the House to the possibility of a similar despatch being written in 1863, and of the noble Viscount again becoming the arbiter of the fate of Poland. Seeing what took place in 1831, and remembering that this despatch was concealed for thirty years, I respectfully put it to the House whether we ought not to press the Government to say distinctly what they are going to do?

There are many other considerations, besides those springing out of the Treaty of Vienna, which give us a direct interest in the independence of Poland, but I will not go into them now. I do not pretend to deal with the whole of the great Polish cause. I am only, as it were, opening the pleadings. I have no doubt other hon. Members, better able to do so, will state the case in full. I will merely add a word or two on the practical aspect of the question.

It is significant that the various Powers of Europe are no longer indifferent to Poland. In France there is a diversity of opinion among public men on every great question save one, and that is Poland. On that subject Legitimists, Orleanists, Imperialists, Republicans, all are united. I shall not venture to predict what will be the policy of France, but there can be little doubt that it may depend on that of England. For a long time past men have been in the habit of asking, what will the Emperor do? But the question now is, what will England do? If the policy of this Empire is to depend on the spirit of the people, if the Ministers are prepared to carry out the wishes of the people, I can have no misgivings about the diplomacy of 1863; for I believe we can say with truth that the feeling of this country is as unanimous and as friendly to Poland as that of France. And what has been the conduct of Austria in this matter? She has complied with the Treaty of Vienna, as far as Galicia is concerned, and within the last few weeks the attitude she has assumed has received the well-merited commendation of the highest authorities in the other House. It is the traditional policy of Austria to be friendly to Poland. True, she was a party to the great crime of the partition; but when the Empress signed the deed, she added these memorable words to it—

> "*Placeat*, because so many great and learned men will have it so; but long after I am dead and gone people will see what will happen for breaking through everything holy and just.
>
> "MARIA THERESA."

Again, during the insurrection of 1831 the Emperor Francis, then on his death-bed, sent the following message through Count Kolovratz, to the Envoy of the Polish Provisional Government—

> "The Emperor feels that the time is drawing near when he shall have to appear before the great Judge; the possession of Galicia weighs on his conscience as a crime, and he would be ready to restore that province to Poland, provided it were not annexed to Russia."

If my words could reach his ears, I would, therefore, respectfully urge the present Emperor of Austria to maintain the attitude he has assumed, for it is not only in accordance with the public opinion of Europe, but it is interwoven with the best interests of the great Empire that he governs so well, and it is strictly consistent with the traditions of his house. There is another Power in Europe; some speak of it as a weak Power, but it is not so; which can exercise great influence on Russia. I mean the Sublime Porte. The present Sultan is a man of determination and ability, and I can tell the House, what the noble Lord at the head of the Government probably knows, that of all the Powers of Europe none will be more anxious at this great crisis to assist Poland than the Sublime Porte. There are many reasons why the influence of Turkey upon Russia is well worth our consideration. The policy of England would be a policy to vindicate her own public faith and solemn engagements; the policy of the Turks would be a policy to save themselves and preserve the integrity of their empire. Again, in the North of Europe, there are Powers which have ever been, and are at this moment, friendly to Poland. On the other hand stood Russia herself and the Government of Prussia. To a certain extent Prussia has fulfilled the obligations of the Treaty of Vienna, and I am therefore willing to hope that she is not now combining with the arch-violator of that treaty. To do so would be indeed a fatal step. I have heard with pleasure that the Prussian Minister has announced that the Convention concluded with Russia has been misunderstood, and its purport exaggerated. I cannot believe that Prussia has gone so far as the House has been led to suppose on a former occasion. She may have committed a fault—a fault which may, perhaps, be repaired—and I hope we shall hear from the Government to-night, some satisfactory statement as to the actual attitude taken by Prussia. What are the sentiments of the people of Russia? Even in Russia itself I see a ray of hope. Among the people of Russia there is, if I am rightly informed, a profound feeling in favour of Poland. The Russian Government is not a Government which sprang from the people or has any direct communication with the people; on the contrary, it has many of the characteristics of a foreign Government; and though the Czar and the Grand Duke are no doubt resolved, if they can, to crush the Poles, the people of Russia do not sympathize with the Imperial policy of extermination. I will not weary the House by reading passages from the Russian newspapers. It may be enough to mention that a journal printed in St. Petersburg recently published an argument in favour of an independent Poland, and urged the government to act upon that view. That paper has since been suppressed, but the fact that it ventured when in existence to publish such an article is significant. But my chief dependence is on Poland herself. I do not ask for armed intervention; I do not wish that a single foreign soldier should be sent to Poland. One Queen's messenger despatched from the Foreign Office to Paris, Vienna, or Constantinople, would be worth 100,000 foreign bayonets to the Poles. It is not armaments they want; but if the Powers of Europe, parties to the Treaty of Vienna, and the Sublime Porte, choose to act in diplomatic concert, then Poland is secure. Sir, the House to-night presents a very different appearance from that which it exhibited when I called attention to the state of Poland on former occasions. The contrast is, indeed, most striking. Nor is it confined to Parliament. From one end of the country to the other, the public mind has changed. Apathy and indifference have given way to the deepest interest and anxiety. Why is there this change? It is because a long absent visitor has returned. Many years ago,

> "Hope for a season bade the world farewell;"

a long season and a sad season for Poland; but it is passed. Hope has returned—and I beg leave to welcome her to this House, and to mark her presence here to-night by moving this Address to the Crown.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, humbly to represent to Her Majesty that certain Treaty obligations have been incurred by England and other Powers with Russia in respect to Poland, and that these Treaty obligations have not been fulfilled by Russia, but were (in the words of Her Majesty's present First Minister) broken almost as soon as concluded:

That these joint obligations are set forth in the first fourteen Articles of the Treaty of Vienna, and that the Emperor of Russia, on the 13th day of May 1815, thus recapitulated them: 'A Constitution; the preservation in public enactments of the Polish language; the restriction of public appointments to Poles; freedom of Commerce; and a national army; and subsequently the same Sovereign, addressing the Poles, said, 'Your restoration is defined by solemn Treaties. It is sanctioned by the Constitutional Chart. The inviolability of these external engagements and of that fundamental law ensures for Poland henceforth an honourable place among European Nations:'

That for many years past not one of these engagements and conditions has been fulfilled:

That it appears from the diplomatic documents which from time to time have been laid before Parliament, that these external exgagements of Russia in respect to Poland were avowedly intended by the contradicting parties, on the one hand, as a compensation for the loss of her independence by the dismemberment, and, on the other hand, as guarantees for the peace and security of Europe:

That the breach of the solemn engagements thus incurred between England and Russia has recently been described (2nd July 1861) by Her Majesty's First Minister in his place in this House, in the following words:—

'The course which the Government of Russia adopted towards Poland was a complete and decided violation of the Treaties of Vienna. The stipulations of the Treaty of Vienna were broken almost as soon as concluded. Perhaps the greatest violation of a Treaty that has ever taken place in the history of the world was that which occurred in the case of Poland:'

That for years past the Poles have borne with exemplary patience this deliberate violation of their national rights:

That whilst their endurance has attracted the admiration of Europe, it seems to have aroused the worst passions of the Russian authorities:

That the patriotic self-restraint of the unanimous people of Poland has at length given way under an accumulation of outrages unparalleled in these times:

That the Kingdom of Poland is now the scene of desolating conflicts between the troops of Russia and the people thus driven to desperation:

Humbly to submit to Her Majesty that these facts demand the interposition of England in vindication of her own public faith and solemn engagements,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir DE LACY EVANS seconded the Motion.

Mr. NEWDEGATE said, that having from first to last supported the Government of which the noble Lord at the head of the Administration was a Member in one Russian war, a war which had been carried to a successful termination, he was anxious at once to state that he would be no party to urging the noble Lord beyond his discretion in the sense of intervention for the sake of Poland, at the cost of another Russian war. The conduct of the noble Lord, and the expressions used by the noble Lord, which were quoted in the form of the Motion, were a sufficient guarantee to the House and the country that if it were possible by friendly offices to mitigate the present state of affairs in Poland, and the evils to which Poland for so many years had been subjected, the noble Lord would not fail to use the power of England in this sense. But, lamenting as he did the condition of Poland, and deprecating its partition, still he thought the House ought to ask itself—Are the Polish people in a condition to establish their own freedom? ["Yes."] In his opinion, Russian Poland by itself would not be large enough to constitute a free State, under existing circumstances; and if this insurrection succeeded as against Russia, was the condition of that part of Poland which belonged to Prussia such as to justify the active intervention of England to wrest that portion of Poland from her ally? The hon. Member for the King's County admitted that the condition of that part of Poland which belonged to Austria was satisfactory. [MR. HENNESSY: No.] Then the hon. Member implied that England was to enter into hostilities with the object of depriving Austria also of certain dominions which she now held. That was rather a grave proposal, and he was actuated by this motive, for no one had ever seen him stand aloof from a movement in favour of rational freedom in any part of the world. What he feared was this, whether, if the Poles were now to succeed, they might not find that they had substituted one tyranny for another, because he doubted whether the condition of that country was such as to prove that the people were qualified for freedom. Let them glance for one moment at the history of 1815. The Emperor Alexander then participated in the feelings of England, and set honestly to work in order to carry out the dictates of the treaty that was to establish constitutional freedom in the portion of Poland which fell to Russia. But he was immediately met by a Roman Catholic movement, by a Jesuitical agency, stirring up disunion and strife, and what was the proof? The proof of it was this:—That in anticipation of establishing the state of things which England desired he was forced to expel the Jesuits from that country. This happy state of things, organized by the Emperor Alexander, in 1815, in the sense of England, lasted till 1820, and then the mischief that had been fomented broke out, and Russia had a right to say that she was forced to crush freedom. ["Oh, oh!"] Hon. Members said "No, no!"—["Oh, oh!"]—but he asserted that the conduct of the Parliament of Poland, in 1820, was totally inconsistent with the understanding upon which the Emperor made the declaration quoted by the hon. Member. Let not the House be deceived. There were agencies at work in Poland that were not in favour of true freedom. With whom had the Emperor of Russia remonstrated against the fomentation of the troubles which had now broken out? With Rome. And Rome had refused to aid in the pacification of Poland, but sanctioned the action of her ultramontane bishops in that country. Let the House not be deceived, but remember that brigandage in Italy was characterized in this House as a struggle for the restoration of freedom. He had only risen to protest against the House being deceived, conceiving that by any hasty action of their own in the case of Poland, they might be hurrying the Government into that which might become a most serious complication, without being likely to advance in Poland the cause of true freedom.

MR. BUXTON said, that every one who took an interest in Poland must be exceedingly obliged to the hon. and learned Member for the King's County (Mr. Hennessy) for the able speech in which he had introduced this subject to the House. From no part of that speech had he derived greater pleasure than from that passage in which the hon. and learned Member said that he did not advocate intervention by war, but only by diplomatic means. Every man of sense and humanity would deprecate our going to war on behalf of Poland. But while he deprecated any steps being taken by the British Government that could have any semblance of a tendency towards war, he thought there were solid grounds why the Government of England ought to utter on her behalf an earnest protest against the crimes of which Russia had been guilty, and still more against the barbarities which she might be tempted to commit if she prevailed—as he feared she would—in the re-conquest of Poland. Not only, however, ought the British Government to cause the voice of this country to be heard, but it would be well for that Government to do its utmost to persuade every civilized country—at any rate, every country of Europe—to unite with England in the utterance of the same views. The force of any protest would be increased tenfold if it were a unanimous expression of opinion by every people within the same quarter of the globe. It was sometimes laid down as a maxim that a nation should say nothing when it meant to do nothing; and very often, no doubt, well-meant protests had seemed to be utterly without avail. The experience of England and France with regard to Naples was not encouraging. In fact, a Government that knew it was not to be interfered with by force could always affect to treat its neighbours' protests with insolent contempt. The matter, however, might not really end there. The Government, thus remonstrated with, might treat such interference with scorn; but the victims whom she was wronging would look with affection on those who, of their own accord, had stepped forward to aid them; and the feeling would be deepened in the hearts of all men that the country which breaks through the law of justice and humanity isolates itself from mankind, and exposes itself to the indignant aversion of her sister kingdoms. It seemed to him that more and more as mankind went forward, the nations that lived side by side ought to form one organized whole —a commonwealth of nations. It would, in reality, tend towards that result that they should abstain from meddling by force with each other's affairs; but it would be well that they should not stand aloof from each other, as if the deeds of one were not a shame to the whole, but should combine to withhold each other from the crimes and follies of which they might else be guilty. And if ever it could be right for neighbourly Governments to join hand-in-hand in condemnation of the acts of any one Government, surely such a case had now arisen? Poland had been treated by Russia with shameful insult and shameful brutality. The whole aim of Russia had been to crush out the national feeling and patriotism of the Poles. She had set herself with a resolute purpose to grind them down under the heel of her despotism, and to break the spirit of a most gallant people. It seemed, indeed, a short time ago, that the Emperor, whose policy in other parts of his empire had been liberal and humane, had become alive to the folly and wickedness of this tyranny over Poland. He seemed, at length, to be catching sight of the truth, so obvious to every bystander, that unless Poland was to continue to be the weakness and the disgrace of the Russian empire, she must be treated with the reverence due to her rights. It appeared as though the wisdom which of late years had come over the policy of England in her treatment of her dependencies had reached the Czar, and it was dawning on him that by allowing Poland to become once more a people, enjoying her own institutions, though still under his sceptre, he would not only be doing that which was just and noble, but raising the Russian throne to a height of glory in the eyes of mankind which it had never reached before. The path lay straight before him towards rendering his empire stronger, while at the same time winning for himself the purest honour. From his other acts we might have deemed him worthy of such a policy; but, whether it was by his own fault, or that he was misled by wicked counsel, the terrible result of this change of conduct was before them. There was no occasion for him to dwell on that new and iniquitous act of tyranny—the attempt of the authorities to seize on every man whose education and energy of character might render him an efficient representative of his countrymen, and to send him off in all likelihood to perish in Siberia or the Caucasus. He did not hesitate to say that, barring the massacre of the women and children, that attempt was closely parallel to the mode in which the King of Dahomey seized on the young men of a Fellatah village in order to sell them into slavery. But though the cup of Polish wrath was filled to the very brim by this brutality, they still held themselves in check, and it was not till the pride of the whole nation had been trampled upon by the official proclamation, which averred that these young men had gladly offered themselves to the Russian recruiting sergeants, that the nation had burst forth at length into a hurricane of rage, and had filled the land with insurrection. If ever the doings of tyrants ought to call forth the indignant protest of the nations around, our Government ought not to pass over in silence such iniquities as these. Such a protest would not be idle. He was assured by those who knew much of Russian feeling, that they were singularly sensitive to the opinion of Europe. They were, above all things, afraid of being thought barbarians, and would shrink extremely from the solemn rebuke of their more civilized neighbours. It might be said that public opinion had been expressed loudly enough by the press of this country and of Europe. He heartily rejoiced that the press of this and of all civilized countries had spoken forth with such tremendous emphasis in condemnation of these outrages. But, after all, the members of a Government like that of Russia could have little time and little inclination for making themselves acquainted with what the newspapers of other countries might be saying ; whereas the combined protest of England, France, Italy, Austria, Spain, Sweden, Norway, Holland, and Belgium—he heartily wished he could add the name of Prussia too—could not but ring in the ears of the Russian Emperor. An additional motive for making such a protest had been afforded by that transcendant meanness of which the King of Prussia had been guilty, in eagerly assuring Russia that he would do his part towards crushing the unfortunate Poles, and that his sympathies were now, as they ever had been, with the oppressor against the oppressed. A baser action than that Europe had not seen for many a long year. The King of Prussia, by the narrowness of his views and the stupidity of his treatment of his own people, had already awakened feelings in which indignation was mingled with contempt. But even the King of Prussia could hardly have been expected to proclaim his zeal in the great cause of consigning to death and slavery those who were simply rising up against brutal cruelties. Since the King had thus come forward to give his countenance to Russia, it would the more become other nations to show what all men but he were feeling in the very depths of their hearts. The position of Austria, again, afforded a further motive for such a course of conduct. Austria had shown herself worthy of the respect of Europe in her treatment of that portion of Poland which had fallen to her share. She had not sought to trample out the nationality of the Poles, nor to crush them under her foot; and the result was, that although Galicia might have some cravings to join the kingdom of Poland, should such a kingdom ever be restored, her people did not complain of the treatment of the Government to which they were consigned. He thought it would encourage Austria, and make her position less difficult, if all her sister nations expressed their abhorrence of the policy of Russia, with which her own stood in such gratifying contrast. Above all, they knew that France was resolved no longer to look on with tacit acquiescence at these deeds. He did not see why our Government should wait for the lead of France; nor, on the other hand, would it be possible for those who represented the British people to stand by in silence while France was taking energetic steps towards impressing on Russia and on Prussia the sentiments by which she is moved. It might be, too, that our joining ourselves with France in remonstrances would tend to hold her back from war. On the whole, looking at the atrocities that had been done, and the dire likelihood of still fouler deeds—seeing the real bent of the Czar's mind towards humanity—seeing what power in these days the voice of Christendom must have, if uttered firmly—seeing the step which Prussia had taken, the position in which Austria stood, and the decision to which France was tending—the motives seemed strong for our Government not to linger, but to call upon every Power, great or small, of Europe to join with England to condemn what was past, and to press upon Russia a wise and gentle policy in days to come.

MR. MONCKTON MILNES : Sir, although on former occasions those persons, Members of this House, who brought the question of Poland under discussion may be accused of having induced this House to go into a matter of theoretical polity rather than one of practical import, I do not think that my hon. and learned Friend opposite (Mr. Hennessy) or any Member on the other side of the House, can be accused of doing so on the present occasion. I do hope the House will fully estimate the value of this discussion to-night ; because I apprehend that on the sense in which the Government of this country conceives this House to speak will depend to a very great degree the line of conduct which that Government will take in regard either to following any proposition of the Government of the Emperor of the French, or in initiating any measures of their own. If I be right in this apprehension, I think Her Majesty's Government will do well to follow the opinion of this House. Because the question is one that has long engaged the attention of mankind ; it is one on which no Government could be authorized to act entirely on their own impulses, or their own private opinions—it is one in which they can only act with safety and with honour by obtaining the full support of this House and of the country, not only to the measures which they adopt, but to the consequences which may result from them. Although I have no desire to suppose that the word "intervention" in the speech of my hon. and learned Friend opposite meant anything more than diplomatic intervention, and although I have no reason to believe that in the present aspect of Europe there is any immediate reason to suppose that diplomatic interposition would be accompanied by more serious measures; nevertheless I say that it becomes this House to look to the possible consequences of interposition; not to act blindly and one-sided in the matter, but to take a clear and comprehensive view, so as to feel, that if they do their duty in this matter by their country and by Europe, they may be perfectly at ease, whatever the consequences. It is no secret that this question at the present moment deeply agitates the French nation—it is no secret, because, and the fact may be gained from the history of Europe, the question of Poland does excite in the French people an interest so absorbing as to be altogether disproportionate to their interest in any other foreign affair whatever. It is very much as if all the sympathies which my hon. Friend the Member for Halifax (Mr. Stansfeld) feels for Italy were combined with all the sentiments entertained on the same subject by my worthy Friend the hon. Baronet the Member for Dundalk (Sir George Bowyer)—all the aspirations for liberty combined with all the ardour of religion. Therefore, I say, there can be no doubt the French people are ready to support the Emperor in any measures he may take with regard to Poland, even though these measures should ultimately induce an appeal to arms. It becomes us, consequently, clearly to understand, whether it is our duty in this case to support any proposals for peaceable interposition which may be made by the Emperor of the French. The first consideration is, are we bound to do so by the state of the treaties? I own that I cannot read the Treaty of Vienna in any other sense than as determining the common consent at that time of all the Powers that Poland should enjoy, in a certain degree, the advantages of a comparatively free government. The history of that negotiation is curious in itself. Lord Castlereagh—whose strong common sense comes out more and more as we grow familiar with his suggestions—was fully aware of all the difficulties which would encumber the question the moment free Poland was attached to despotic Russia. Therefore, all the interest of England was brought to bear with a view to constitute a large and independent Poland as an integral part of Europe. So far the conscience of England acquits her. She had taken no share in the partition of Poland, and at the great Congress of Nations she did all she could to rectify that wrong. But the other Powers were too strong for her, and the the arrangement was made by which Austria and Prussia each got a portion, and the Kingdom of Poland was constituted, with all the dignity of an independent people, and attached to the despotic empire of Russia. What Lord Castlereagh had anticipated naturally occurred; the difficulties of the position grew day by day, and were increased by the ill-will shown towards Poland by the Government of Russia. An intelligent and moderate Government might have surmounted the difficulties; but it was not in the power of human wisdom to combine the Government of Poland in an independent and liberal spirit with the increase and fostering of absolute despotism in Russia. I cannot agree with my hon. and learned Friend opposite that the insurrection of 1831 was not justified. It was provoked by a series of great insults, of dire cruelties, and of systematic oppression; and when the spirit of liberty broke out so freely, in some cases so wildly, as it did then in Europe, it was not in human nature that Poland should not have attempted to resist. The Emperor of Russia took advantage of that resistance; and though that view has not been distinctly formalized in any diplomatic document, yet I believe it is understood that the Russian Government consider that the Treaties of Vienna were cancelled, as regards Poland, by the insurrection of 1831, and that any power which Russia now exercises over Poland is no longer restrained by the faith of the Treaty of 1815, but that her dominion is held by the simple right of conquest. I cannot admit this doctrine, for several reasons, and mainly on this ground:—Whatever may be the immediate relations between Poland and Russia at the Treaty of Vienna, Russia nevertheless contracted towards the other Powers of Europe such obligations as would justify them in holding this language towards her:—"You have no right to keep in the centre of Europe a focus of continual discontent, when the wisdom of mankind has taught us that to hold a recalcitrant nation by the mere means of force is not only impolitic in itself, but intolerable in its consequences. You have no right to keep Poland in a state of chronic insurrection; you have no right to impose a condition of perpetual disturbance on your neighbours of Austria and Prussia; you have no right to threaten the peace of Europe, in which we are all concerned." The circumstances of history are very seldom parallel, but I would call the attention of the House to an instance bearing some resemblance to the mute appeal which is now made by Poland. In 1809 the people of the Tyrol were attacked by the combined armies of France and Bavaria. They made an appeal to England, at that time under a Tory Government, not supposed to give its countenance to anything favouring revolutionary designs, and with the leave of the House I will read a passage from the answer given to the Deputies of the Tyrol by Lord Bathurst. After expressing his regret at the event he says—

> "When submission is in effect more hazardous than resistance, or when the dangers attending on each are nearly balanced, a brave nation may be encouraged justifiably to prefer the latter alternative; but when by resistance the sufferings of those engaged in it must be grievous, and the hopes of its success cannot possibly be great, it is not for those who are not to participate in the danger to counsel others to incur it."

But the despatch did not end here. Lord Bathurst added—

> "If, however, the remembrance of past happiness, the sense of recent wrongs, the expectation of renewed oppression, the character of the country, the habits and spirit of the people, shall decide them to persist, His Majesty cannot but give some testimony of the interest which he takes in the issue of a contest too unequal, he fears, to be availing, but which he knows to be just."

I take that to be the spirit of the counsel which Her Majesty's Government ought to give on the present occasion. We must not delude ourselves by false hopes. The character of the Russian Government is well known, and their stern and cool-headed statesmen will estimate our interference at what it is worth. I think that it is worth something in two ways. It is worth something in itself, and my hon. and learned Friend has justly said, that Russia is not now unamenable to public opinion. The people and Government of Russia are now conscious that they are on the threshold of a new order of things. The emancipation of the serfs and the comparatively enfeebled position of Russia as a military Power in Europe should impress on the Russian people the consciousness that they can no longer combine in their policy the astuteness of the West and the primitive barbarism of the East. The press is beginning to have its influence. Newspapers are no longer confined to her capital, but traverse the uttermost limits of her dominions. She knows, too, that the perpetration of perpetual injustice is not only viewed as a crime in the eyes of Europe, but that it will prove a great impediment to her internal progress as well as to her external policy. Russia also knows that the military strength of England, although physically inferior to that of France, will yet weigh considerably when thrown into the balance with that of France. Add to the enthusiasm of France the deep conviction of duty on the part of the people of England, and you will get a stress of public opinion that will not bear upon Russia in vain. Therefore, I believe that I am not inaccurately interpreting the feeling of this House when I say, that if overtures are made to the Government to express to the Emperor of Russia the strong opinion—I will use a stronger word, and say the indignation of this country at his persistence in a line of Government which can only be maintained by atrocities such as have lately occurred, they ought not to be ignored by this House or by Her Majesty's Government. I know that many excuses are made for these acts. There were plenty of good and learned excuses made for the Massacre of St. Bartholomew and for the Sicilian Vespers. There is not a *coup d'état* that does not find its apologists, nor one that has not, viewed from one side, its excuses. The Russian Government may say that they were compelled to adopt this larcenous oppression of carrying off thousands of men to serve in their distant armies by the fear of a national insurrection. But why did they provoke that insurrection? Why, when they got to a state of things in which the aristocratic element and good sense of the community were enlisted against them—why, when the movement was clearly seen to be one not of excited revolutionists, but was conducted by the most temperate, the richest, and the best men of the country—why did the Government take advantage of that moment to attempt to turn the perfectly constitutional proceedings of the people of Poland into violent and angry revolution? Therefore, do not let the Government of Russia represent that the state of Poland rendered this act one of State necessity. The future of Poland hangs in the balance. I have no hope that the mere military power of Poland will not succumb to the arms of Russia. But it will be well if by our interposition we try to modify materially so awful a state of things. The conduct of Prussia has been visited with deep censure not only in this country but throughout Europe. We have not only a strong dynastic, but almost a personal interest in the welfare of Prussia; but the wishes and sympathies of this House go with the rising liberty, the constitutional and moderate liberty of the Prussian people. I am sure that this is not a case in which we can interfere; but we may exhibit to the Parliament of that country that our interest and sympathies are with them in this hour of trial and danger, and we may assure them, that if by such means as their constitution allows them they show their just reprobation of the Government of Russia, they will acquire the esteem and admiration of this country. To Prussia at the present moment we should address the language of moderate remonstrance. To Russia we should speak in a tone of just and manly indignation; and I trust that Her Majesty's Government will rightly convey and express these sentiments. If they do this, they will not misinterpret the feelings of the House.

Mr. WALTER: Sir, I listened with deep interest to the able and eloquent address of the hon. and learned Member for the King's County. But I am bound to say that the enthusiasm which the hon. Member excited in my mind with respect to Poland dropped down at once from boiling point to zero, when, at the close of his speech, he informed the House that the interference he contemplated was not of a military but of purely a diplomatic character. However strong our sympathies may be—and we have proof enough that the sympathies of the people of England are strongly in favour of Poland—we ought not to be misunderstood on so important a question. The Resolutions which the hon. and learned Member has moved consist of sundry recitals of the well-known state of Poland; but they end in a practical conclusion of so serious a character that I trust the House will permit me to read the last paragraph once more. The conclusion which the hon. and learned Member desires the House to adopt is as follows:—"Humbly to submit to Her Majesty that these facts demand the interposition of England in vindication of her own public faith and solemn engagements." Sir, that language, if it means anything, means war. It ought to mean war. England ought not to counsel her Sovereign to use such language, if diplomatic action alone is to be taken. I do not wish to prejudge the question at issue, or to give, at present, an opinion upon it. But I wish the House to understand that when the House of Commons asserts that England is bound to interpose in vindication of her own public faith and solemn engagements, it must be prepared to support the Sovereign in giving effect to that language. I trust that the Government will not be misled into believing that this Address expresses no other meaning than that which may be conveyed by a Queen's messenger. I think I may even say that it would be degrading to the majesty of England to place such language in the mouth of the Sovereign, if nothing more is to be done. I shall not pretend to go into the question which the hon. and learned Member has opened. I leave that for persons better qualified than I am to discuss it. The time may arrive, or, for all I know, the time has arrived, when it may be necessary for England to act. But whether that time has arrived or not, I trust that the House will believe that England is bound to give effect to her language, and not to place in the lips of the Sovereign words that say so much when the hon. Gentleman who proposes them means so little.

Mr. DENMAN said, he also felt very strongly the objections just stated by the hon. Member for Berkshire (Mr. Walter). The hon. and learned Member (Mr. Hennessy) stated that he only contemplated diplomatic intervention; but he (Mr. Denman) agreed in thinking the House could not possibly agree to the last paragraph of the Address unless it were prepared immediately to go to war; and that to put upon the records of the House a Resolution pledging themselves to "interposition," especially to "interposition in vindication," if not followed up by a speedy declaration of war, would expose them to the charge of using idle words without any real intention of acting upon them. While however, he would counsel moderate action on the part of the Government, and while he deprecated the use of such language as that in which the last Resolution was couched, he differed from the hon. Member for Maidstone (Mr. Buxton) in thinking that under no possible circumstances should any other than diplomatic action be resorted to by the Government. He could not approve of diplomatic negotiations commenced with an understanding that in no eventuality were they to be followed by war. Therefore, he should be anxious to pass such a Resolution only as would strengthen the hands of the Government in the proposed diplomatic negotiations; but he would not tie the hands of the Government by telling the Russian Government, that however atrocious their violation of treaties, however wicked and cruel the conduct of Russia towards Poland might be, the English Government would not be prepared to go to war with Russia. The necessary alteration in the Address might, he thought, be made by omitting the words of the last paragraph after the word "demand," and by substituting words which would make the paragraph read as follows:—"Humbly to submit to Her Majesty that these facts loudly demand the serious and immediate consideration of Her Majesty's Government." The House would then do in its collective capacity what every speaker (unless the hon. Member for North Warwickshire were an exception) had done tonight individually, and express its strong and ardent sympathy for Poland. He had felt, when the hon. Member for North Warwickshire (Mr. Newdegate) rose, that he would hardly be two minutes on his legs without saying something to show that the want of sympathy with Poland which he showed arose from the fact that she was a Roman Catholic nation. He could not help thinking that the hon. Member allowed his judgment to be warped by that fact; but it was to be hoped that—ardent sympathizer with liberty as he knew his hon. Friend to be—he would become a convert to more liberal views. It ought to be remembered that a down-trodden and oppressed country was the very country where plotters, Jesuits, and all the miserable engines of tyranny have a sway such as they never can have where freedom prevails. By an honest expression of opinion in favour of Poland, and by thus helping her to become free, the hon. Gentlemen would find that those things which now so much disquieted him would all disappear. Until she was free they never would disappear.

MR. NEWDEGATE explained that all he had said was that the speech made on a former occasion by the noble Lord at the head of the Government had convinced him that he required no prompting in favour of Poland, and to urge that the matter might be safely left to the discretion of the Government.

MR. DENMAN: He was glad to hear that that was the opinion of the hon. Gentleman. He imagined that the hon. Gentleman had spoken disparagingly of Poland, and of her right to freedom, because of the great number of Jesuits in that country. As to leaving the cause of Poland in the hands of the noble Lord at the head of the Government, there was no man in whose hands that cause was likely to suffer less than in his; but, at the same time, the influence of the Government would be greatly strengthened by a unanimous expression of the opinion of that House. He therefore hoped that, without either pledging themselves to go to war in this matter or declaring that under no circumstances whatever would they be prepared to go to war, the House would agree to a decided Resolution in favour of Poland.

LORD FERMOY said, he felt the full force of the remarks of the hon. and learned Gentleman who had just sat down; but he thought, that if they desired that debate to have any moral effect in Europe, they must not be nervous about putting on record a strong Resolution conveying their opinion of the conduct of Russia towards Poland. It had been said that this country was not responsible for the partition of Poland—that might be so—but England was, he believed, morally responsible for many of the unfortunate results to that country from the non-fulfilment of the Treaty of Vienna. It was not enough to say, as the hon. Member for Pontefract (Mr. Monckton Milnes) had done, that Lord Castlereagh, our Plenipotentiary in 1815, advocated the independence of Poland at Vienna. To the final decisions of the Congress, England was a party in conjunction with the other Powers who signed the treaty. Poland herself was not responsible, for all through her history she had protested strenuously against her oppressors. Under these circumstances it was his opinion that that House—the oldest, freest, and most distinguished assembly in Europe—should now adopt a unanimous Resolution emphatically condemning the acts of Russia. When the hon. and learned Member for the Kings County placed on the paper the Motion which he had introduced with so much ability and moderation, he (Lord Fermoy) had thought that there could not be in the British House of Commons any other sentiment than one of unanimous condemnation of the conduct of Russia—how much, therefore, had he been astonished to hear the hon. Member for North Warwickshire vindicating that Power, and saying practically that the Poles were not worthy of liberty. His astonishment, however, was lessened when the hon. Member gave his reason for that, because when that hon. Gentlemen smelt something of the Pope in this matter, it was not so surprising, perhaps, that he should have come to such a conclusion. Still, could any man read in the newspapers the accounts of the atrocities committed by the Russians in Poland—the deeds of rapine, rape, kidnapping, and murder, and not be moved by them? The people of Poland were, indeed, of a different religion from the hon. Member; but was that a reason why the people of England should not sympathize with them in their sufferings. Our responsibility for the condition of Poland was heavy. She had never been a party to her own dismemberment and degradation. She had suffered three partitions and she had taken every legitimate opportunity to protest against them. Russia had done everything in her power to foment discontent among the Poles, to get up conspiracies among them and exasperate them to violence, in order to find an excuse for massacring and expatriating them. In 1831, when Poland carried out a partially successful revolution and formed a Provisional Government, the Powers who made the arrangements of 1815 should have met and admitted her into the family of nations. The contracting Powers ought, then, to have insisted on her freedom. That opportunity was, however, lost. Another now presented itself. After employing in vain every kind of peaceful remonstrance, and been subjected only to increased outrage, the Poles had taken up arms. It was incumbent, therefore, upon this country, in vindication of its own character and honour, to act, and to act promptly, on this occasion. He did not say that we should rush headlong into war; but the Government must be the best judges of the right mode of interfering, and the onus of doing so judiciously and effectually ought to be thrown upon them. If Poland were restored to independence, she would be a friend to this country in any European troubles, and an important trade with her might easily be developed. Looking back to the past history of Poland, it would be found that she had always exhibited a tendency towards free trade, while Russia was one of the most decidedly protectionist Powers of the day. With a free Poland, then, England would be likely to have secured a considerable increased custom for her manufactures, while we should have additional facilities for procuring those raw materials which we required. Setting aside, then, all feeling of sympathy or philanthropy, and looking at the question merely in a practical and commercial point of view, there was every reason why we should lend our aid towards the re-establishment of Polish independence. The line of conduct, he might add, which Prussia was pursuing in the case of the Poles was an eternal disgrace to her Government. She was, to use a vulgar phrase, holding a candle to the Devil, and he thought she would before long find enough to do in settling accounts with her own people. Meantime, however, with France on our side, and with Austria ready, as he believed she was, to assist us in bringing about a satisfactory solution of the Polish question, he had not the slightest doubt that we might in conjunction with those two Powers effect much in that direction. If in concert England, France, and Austria were to come to the resolution to insist that Russia should either take the alternative of adhering honestly to the Treaty of Vienna, or be prepared to see them come to the support of Poland in the endeavour to win her freedom, we might depend upon it that there would be no war—that Russia would either do justice to Poland or she would be set altogether free; and in contributing to the accomplishment of that result we should have acquired for ourselves not only the gratitude of Poland and the thanks of the world, but we should have done more to secure the future peace of Europe than if the House of Commons were to hesitate for ever about the mere drawing up of a Resolution.

Mr. SEYMOUR FITZGERALD: Sir, I should be sorry that this debate should be closed without my having asked permission of the House to address to it a few observations. My hon. Friend the Member for the King's County, has received a deserved tribute of admiration and gratitude from all those who have addressed the House this evening, for bringing under our consideration to-night, in a speech not more remarkable for its judgment and its discretion than for its information and ability, this important subject. I am sure he also deserves the thanks of every friend of Poland for his exertions in her cause, not only upon this but upon former occasions; and he deserves the thanks of every one who has the peace of Europe at heart—that peace which I believe in my conscience can never be thoroughly secured so long as the ulcer of Polish oppression is allowed to fester in the heart of the Continent. I am sure also that he deserves the thanks of the House for the persistence with which he has, year after year, brought forward this question. He has now so impressed that question on the attention of the House, that instead of addressing a few Members scattered at frequent intervals upon the benches of this House; he is this evening enabled to lay the wrongs of Poland before a full and attentive House. I say emphatically, he deserves most truly the gratitude of every friend of Poland. Sir, this question has certainly assumed a different complexion to-night from that which it has borne in former years. In former years this was a question that was classed among measures advocated by those who were by politicians spoken of as being of a rather enthusiastic turn. Every one who admires the bravery of the Polish nation, their love of country, which nothing has been able and nothing will ever be able to extinguish; their patience under suffering, their enthusiastic resistance to tyranny—and every Englishman admires qualities like these—cannot fail to express his sympathy for the Polish cause whenever an opportunity occurs in this House. But now, as the hon. Member for the King's County, has pointed out, the question has entered into a different phase; and I believe that, instead of its being a question reserved for the consideration only of the generous and the enthusiastic, there is no more practically urgent question at this time demanding the attention of the statesmen of Europe than the position of the Polish people. And this consideration becomes more important to us when we reflect that at this moment, I believe, the solution of this question rests, in a great degree, with Her Majesty's Government. I believe that at no time and upon no question, has there been among us a more solemn sense of responsibility than now presses on England with regard to Poland. Now, Sir, let us look for a moment at what is the position of France in regard to this question, and what is now passing in that country. The hon. Member for the King's County has pointed out — what we all know—the enthusiasm that has always been felt for the Polish cause among every class of the French people, the generous sympathy which has always been expressed at the sufferings of the Polish people. What has of late taken place? Every one whom I have the honour of addressing, knows what, for a length of time, has been the position of the press in France. Upon no question either of internal or external policy had the expression of an opinion been allowed in the French press: reports had been criticised and curtailed before they were allowed to be published: if the rules and regulations of the Minister of the Interior were broken, a warning was sent to the offending journal, and, sooner or later, the result was its suspension. But those who have remarked what has been lately going on in France, must have observed that the tone and temper of the French journals has altogether changed. In the case of the Polish insurrection, from the first the papers were allowed to publish exact reports of everything that was said; comments next made their appearance; and now, so far from being limited to comment and report, there is scarcely a journal in France that does not express in burning language the enthusiastic sympathy of the French people with Poland, and call on the Government to give expression to that enthusiasm and to that sympathy. In this, I think a significant proof is furnished of what it may be assumed is the latent opinion of the Government of France. But let us consider for one moment what may be the possible effect of this stirring up these enthusiastic feelings in France upon the course of the French Government, and consequently upon the state of the affairs of Europe. It is perfectly possible that this sympathy and this enthusiasm in the cause of Poland, may give such impulse to the French Government, that instead of taking that position which, I think, the French Government is anxious to take, of acting in diplomatic concert with Her Majesty's Government, and giving the fullest support to the Polish cause, the French Government may find themselves in the position of having a public opinion in France too strong for them to resist; and then consequences may occur to Europe of an importance that cannot be magnified, results that it is fearful to contemplate at this time; and it would be a poor consolation for us to reflect that it was owing to the timidity of an English House of Commons, and the over-caution of a Liberal Administration, that such consequences had resulted. Again, let us look for one moment at the position of Austria. My hon. Friend the Member for the King's County has pointed out with the greatest truth what are the traditions of that empire. But this must always be remembered with reference to Austria and to the politics of that part of Europe—it can never be expected that on a question of this kind Austria should take the initiative. On the one side she has Russia, and on the other France; and her whole policy has been a consideration how best to promote her own policy by acting in concert with the most powerful party. Therefore, there is nothing more important than that England should take the initiative and join with France; and I am as firmly convinced as I can be of anything not capable of mathematical proof, that if we take such a course, in common with France, Austria will not only be willing, but will be anxious to give her cooperation on behalf of Poland. My hon. and learned Friend the Member for Tiverton (Mr. Denman), the hon. Member for Pontefract (Mr. M. Milnes), and the hon. Member for Berks (Mr. Walter), now find fault with the Resolution of my hon. Friend because it is too strong. It meant war, said the hon. Member for Tiverton, or it meant nothing. I differ from that opinion. More than that—it appears to me impossible for any one to agree to the statement of facts contained in the Resolution and then to be satisfied with the lame and impotent conclusion at which the hon. and learned Member for Tiverton would have the House arrive—that we should conclude by saying that these things "deserve the early attention of Her Majesty's Government." What does the first part of the Resolutions embody? It contains a statement that the great Powers of Europe entered into a solemn compact and agreement intended for the pacification of Europe, and that to it all the great Powers were bound: it goes on to say that this compact has been flagrantly and notoriously violated by the Government of Russia; that this conduct on the part of Russia has been stigmatized by the noble Lord at the head of Her Majesty's Government in the most solemn terms; and having said that the treaty was intended to pacify Europe, that all the Powers of Europe were parties, and that its obligations have been violated, we are to come to the weak and impotent conclusion that Her Majesty's Government are to take these circumstances into their early consideration.

Mr. DENMAN: The words I wished to introduce were much stronger. The words were—"the serious and immediate consideration of Her Majesty's Government."

Mr. SEYMOUR FITZGERALD: It does not help the hon. and learned Gentleman much to say that when the law of Europe has been trampled upon for a number of years, the matter deserves the serious and immediate attention of Her Majesty's Government. The objections that are taken to the Resolutions were two-fold. The hon. and learned Member for Tiverton objects that our proceedings should take the shape of a Resolution, and not of an Address to the Crown. I must entirely differ from him on that point. In the first place, an Address to the Crown is a more solemn proceeding than a Resolution of this House; and I wish the House of Commons to proceed in the most emphatic and solemn manner possible. But beyond that, Her Majesty is a party to the treaty which has been violated; and it was against her that the most flagrant breach of public faith has been committed. And therefore I say the right form of proceeding is the Resolution for an Address to Her Majesty. But we are told that intervention necessarily means war. Why? Surely there are solemn cases demanding the interposition of England which can be made without meaning war, or expressing, as an hon. Gentleman opposite said, a determination on the part of this country never to go to war. Here is a treaty to which all the Powers of Europe are parties, and by which they are bound. Would it not be a solemn interposition to call together the parties to that treaty, and in the face of Europe to charge the Russian Government with falsity to their obligations? Would that not be an interposition on the part of this country that could not fail to have an immediate and important effect on the public opinion of Europe and, I believe, of Russia? And is not the course proposed, that we should act in harmony with France, in harmony with Austria, in harmony with the great Powers of Europe—is not that an interposition of England in vindication of her own public faith and solemn engagement? I, for one, return my thanks to the hon. Member for the King's County, who has brought this question before us in the way he has done. I thank him personally for the opportunity which he has afforded me of expressing opinions which I deeply feel. Only this morning I saw one of the most distinguished Poles—whose name is a passport to the confidence of his fellow-countrymen and to the admiration of Europe as a pure and sincere patriot—and he told me that for years he had cherished the certainty in his heart that Poland would be restored to the family of nations. He said he felt her cause was just, and, being just, sooner or later Providence, in its own good time, would bring about its consummation; and now, he added, that time has arrived. I implore the House of Commons not, by refusing to assent to this Address, to daunt that hope and that expectation.

MR. STANSFELD said, that if the hon. Gentleman the Member for Horsham (Mr. Seymour FitzGerald) was justified, as he thought he was, in tendering thanks to the hon. Member for the King's County, he might be permitted to make his acknowledgments, not for the ability with which the hon. Member had spoken, but for the opportunity given to the right hon. Gentleman to utter those generous words which deserved all their sympathy. They had to deal with questions of fact, and with the grave question, what course, in this emergency, the House of Commons ought to pursue. There could be hardly any doubt about the facts, and, in spite of the opinions of the hon. Member for North Warwickshire (Mr. Newdegate) he did not think there could be any serious difference of opinion upon the character of the proceedings of the Russian Government. The insurrection was caused—nay, was compelled by the conscription. The Poles had no choice but to rise. An ordinary conscription was levied on the whole male population of a whole country by lot, with protection against chance bearing too hardly upon the members of one family, and with the privilege of providing substitutes. This conscription for the Russian army was levied upon the population only of the towns of Poland, without any exemptions, and every man was, in fact, named by the Russian Police. They all knew how this conscription, if it could be so called, was carried out on the night of the 14th of January. It amounted, neither more nor less, to the wholesale deportation of the *élite* of the youth of Poland. It was a barefaced scheme—a barefaced device—for sweeping into one huge net all that was patriotic, all that was free-spirited, and all that was progressive in the country; a device for carrying away bodily all who were the promise of their country, and for consigning them to a doom which every Polish mother would feel was worse than death. To such a conscription it was simply an impossibility to submit, and the Poles had no choice but to resist. He would not dwell upon the heroism displayed by the Poles in the unequal struggle. It had been, in the beginning at least, almost an unarmed insurrection; for their cannons were made from the tree which but yesterday flourished in the forest, and their guns had been snatched from the hands of a soldiery very numerous, infinitely better disciplined and armed, against whom they had unhesitatingly marched, some with the national weapon, the scythe, but some—he spoke the literal fact—with only clubs in their hands. He would not stay to dwell on the well-known heroism of the Poles; he preferred to hasten onward to a question which it appeared to him of the highest importance that they should know how to regard in the discussion in which they were engaged that night. He wanted to know what were the motives of the conscription. He desired to ascertain how it was that Russia was tempted to pursue a course which had roused the indignant wonder of the whole civilized world. Was it wanton—was it an unreasoning and capricious act? Was it one of those acts of arbitrary blind cruelty which the possession of despotic power sometimes tempted its possessors to indulge? He thought that was not the real character of the act, and he considered it of the utmost importance that they should inquire as to the origin of such a proceeding. After the failure of the insurrection of 1830, and after the European movement of 1848 and 1849 had passed over without any overt response on the part of the Polish people, there were perhaps not many who did not begin at least to fear that the life of a nation had been too successfully crushed out. If they did entertain that fear, the movement of the last two years must have convinced them that that fear was unfounded. And let him, in passing, ask the attention of the House to the new character of that movement—to the hopeful and vital character of a movement which included within itself, and which he might say originated with, and was directed by, the middle classes, for the first time coming upon the battle-field in that unhappy country. He said this movement which was now going on must have convinced them that that fear was unfounded. Well, if that were so, was it not clear that there were only two courses open to the Czar? If Russia were not prepared to retrace her steps, and to go back, if not to the constitution of the ancient kingdom of Poland, at least to what the hon. Gentleman (Mr. Seymour FitzGerald) desired that she should do, the observance of the treaty stipulations by which she was bound—if, he said, Russia were not prepared to retrace her steps, it was necessary for her to meet this portentously rising movement by some definitive policy; and if she could not avert it, it must ultimately be quenched in blood. Now, the peculiar misfortune of the Polish people was this—that to execute that purpose a Polish nobleman had been found—a man of undoubted ability, a man of great force of character and will, but a man of arrogant and perverted views. He would now make a statement which he thought no one would be able to contradict; he ventured to say that when Count Wielopolski accepted the position of Civil Governor of Poland, the faculty in reserve of levying this conscription in the very manner in which it had been brought about was one of the terms of his appointment. If there should be any doubt as to the predetermination in this matter of the Russian Government, there was ample evidence to confirm the view which he took. In the month of November last a private circular was issued from the Department of Home Affairs in Poland to the civil Governors of that kingdom. With the permission of the House he would read one or two passages from that document—

> "Considering," it said, "that the persons whose business it would be to select persons for the military conscription from the nominal lists drawn up with this object should possess the necessary information, not only respecting the social position and occupation of those included in such lists, but also of their political conduct; and inasmuch as one of the chief principles and objects of this conscription is to get rid of those people who by their conduct have disturbed public order, these functions are to be performed—"

Then the letter went on to indicate the persons who were to make out those lists. A little further on was the following:—

> "The Council of Administration also brings to notice that it will be the duty of every recruiting district to provide a certain number of recruits, who shall be especially chosen from among people having no permanent occupation, without work, and at the same time unfavourably noted as to their political conduct during the late events."

Then the document concluded by impressing the necessity of the closest secrecy in the preparation of the lists—

> "Finally," so ended the despatch, "you will warn the *employés* concerned that the business relating to the conscription should be carried on with the greatest quickness, energy, and firmness of conduct, and that all instances of neglect or failure in this matter will entail severe responsibility on their authors."

If that were not confirmatory evidence enough of the predetermination in this matter of the Russian Government, he might refer to an article in the official journal of St. Petersburg of the 5th of February, in which the writer admitted that this measure of conscription was abnormal, in which he designated it as a political act, and in which he justified it on this ground:—That it not being possible to reach the heads of the insurrectionary movement, it was necessary to make an example, and to collect and remove their miserable instruments who still remained within reach of the Russian Government. He said, then, that this act of the Russian Government was no wanton and unconsidered act; he said it was not an act which admitted of facile reparation, or of avoidance in the future. On the contrary, it was the consummation of a predetermined and deliberate policy. He had almost said that it was the consummation of an inevitable policy. Three great Powers had combined in the original crime of the partition of Poland, and the rest of Europe looked on. Then, after the long wars of Napoleon, came the peace and the Treaties of 1815, when, if there had been virtue—he would say common sense—enough, in the councils of the great Powers, that great error and that great crime would have been redressed. But that occasion was also passed over. Hence they had the movement of 1830; and after a long and weary interval of apparent, but only apparent, submission, they had this new and still more promising and pregnant movement, this insurrection which now existed on Polish soil. That insurrection, it was too true, might, like former ones, be quenched in blood; but it would without doubt leave behind it some spark of life, some smouldering fire, sooner or later to burst into a flame which might well become a European conflagration. He desired to take no mere enthusiast's view of this question. He did not, in any degree, ignore the difficulty which must be felt by statesmen to surround its solution; but this at least he would venture to say, that it was impossible to state too strongly the claims of the Polish people on the ground of right, on the ground of treaties, on the grounds of their heroism and their sufferings. He would add, that it would be impossible for this House too loudly and too clearly to express its sympathy with the Polish cause; and however great the difficulties of the solution of this question might be, he would say this to the noble Lord who presided over the councils of this country, that the Polish question had proved itself to be one of those great national questions of which it might be said, that until they were solved, they could have no sure and abiding peace. Now, there was another phase of this question upon which he would ask leave to say one or two words. Prussia had begun to play her part. He would not stop to apply to the part which Prussia had begun to play the epithets which would be necessary to define its character. Suffice it to say, that it constituted so flagrant an outrage upon what he would call the very decencies of international law and usage, and that no great Power could venture to overlook those proceedings without sharing in the shame. Prussia had been volunteering the part of spy and *gendarme* to Russia. She listened for the footfall of those noble Polish youths, who, urged on by an irrepressible instinct, hurried across her soil to seek their fathers' home; she waylaid, she entrapped, she made prisoners of those young men; and, without the slightest evidence even of the crime of a patriotic intent, she handed them over the frontier to the tender mercies of the Czar. Then there was the convention which had been recently concluded between Prussia and Russia. Was there ever such a degradation heaped upon an enlightened nation by those who should be the guardians and protectors of its honour? Their own soil to be made human shambles, upon which a brutal and foreign soldiery were to come to pursue and slaughter defenceless fugitives! If England could brook such acts as those, then, he said, the day of shame in England was come—the time was then come when it would be well that we should at once make confession of our impotence of power or of will, and turning our backs upon Europe, should sit down and count the profits of honour abandoned, and of the most sacred duties of a nation despised and set at naught. It seemed to him that some action on the part of the Government of this country, and some action on the part of that House were imperative in that emergency. Coming now to the Motion of the hon. and learned Gentleman, he must admit that there were in his mind objections to its concluding paragraph. He did not know how they were in a matter of this grave importance to tie the hands of a Government, in which he presumed they all meant in this case to confide; for to no Government in which they could not confide would he intrust the treatment of so difficult a question. But there was another objection, from his own point of view, to the conclusion of the Motion. He did not know how far they would commit themselves by going back upon treaties which had been so often violated, if not without notice, certainly with impunity, by all the Powers of Europe. If he might venture to suggest the course of action for the Government of this country, he would, at least with reference to Prussia, take his stand upon a different, a clearer, and, as he thought, a higher ground. He would appeal to the principle of non-intervention—a principle recognised but only partially observed in the practice of European nations. He had long thought, that if there were a direction in which the course of the future of this country was clear—if there were a function specially fitted for this country to fulfil, one suited to her character, to her position, and to her power—one conducive more than anything else to the freedom and the independence of nations and to lasting peace, it was the practical assertion of that principle, without which the intercourse of nations was but anarchy upon an extended scale. To that principle he would make his appeal, and he ventured to express a confident opinion that that appeal would not be made in vain. Whether the protest of this country were made in conjunction with foreign Powers—and in that case it was needless to say it would have to be made with certain evidently requisite guarantees—or whether it were made, as he confessed to his mind appeared preferable, in the name of this country alone—

that protest, endorsed as it would be known to be by the unanimous adhesion of the people—that protest could not, he repeated, be made in vain. It could not fail to be of some real service to a gallant and outraged people—it could not fail to result in one step gained towards that which he believed to be essential to the future peace of Europe—towards the real and practical recognition of the principle and law of non-intervention as binding upon all the nations of the world.

LORD ROBERT CECIL said, that when he saw the hon. Member for Halifax (Mr. Stansfeld) rise to address the House, he could not look without a feeling approaching to consternation at the prospect of being compelled upon that occasion to vote with the eloquent and accomplished pupil of Mazzini. He had no doubt that he should have to go into the same lobby upon that question with several Gentlemen with whom he did not ordinarily agree; and he was therefore desirous of explaining the grounds on which he should support the Motion. He had never before heard a debate in which so much unanimity prevailed. Every Member who had addressed the House sympathized deeply with the sufferings of the Poles. The debate had been all on one side, with the exception of his hon. Friend the Member for North Warwickshire (Mr. Newdegate).

MR. NEWDEGATE said, he wished to explain. He had done no more than express a hope that the noble Lord (Viscount Palmerston), who he thought might be trusted on that question, would use all his influence for the purpose of mitigating the present state of things in Poland.

LORD ROBERT CECIL said, he was glad to be corrected, and to know that so far not one single voice had been raised to defend the conduct of Russia, or to express anything but the deepest sympathy for the sufferings of the Polish people. It was hardly possible, indeed, to conceive any assembly of free men, enjoying peace in their own homes, not sympathizing with such sufferings. It would seem as if the hordes of Zengis Khan had come to life again, and poured down upon the plains of unhappy Poland. If that were a rebellion of the ordinary kind, or even if it were a case of a Government striving to suppress a righteous insurrection of its subjects, however brutal might be the mode of its suppression, he should say it was not the duty of this country to interfere by word or deed. But this was not a case of ordinary insurrection, or of brutality practised by the governors on the governed. In the present case we had a direct *locus standi*, inasmuch as we were parties to a treaty by which the Emperor Alexander had solemnly engaged that Poland should obtain representative institutions. It was true that treaty had been violated as soon as it was made; but, nevertheless, it still existed. It was made under the sanction of England, and England was pledged in honour never to recognise any infraction, or to omit any legitimate opportunity of recording her indignation at the violation of that great act of international law. He had heard it remarked in the course of the discussion that the treaty had been too often broken to be of any value. That was a mode of arguing insulting to the honour and dignity of England. It was not our business to ask what had happened in other cases. We were bound by a covenant. Our honour was concerned in the fulfilment of a certain promise to which we were parties, and on every occasion when it was in our power we were bound to enforce that promise. It was asked what good could be done by a protest; and it was also said that the Resolution could only mean war. He could see no ground for that interpretation. In fact, even if justifiable, the idea of war was absurd. This country could not reach Poland, and a country which could not be reached by a maritime Power was not one for which we could properly make war. But the great point in this matter was that we were bound to record our protest against a great violation of public law. We were evidently on the eve of great events. The revolution in Poland did not seem likely to be soon suppressed. There was even a probability that it might pass into Russia; and there might possibly be a great disturbance of the European equilibrium. The policy which England now pursued would be that by which she would afterwards be bound, and which would ensure to her either the gratitude or the hatred of the populations concerned. No lapse of time could make a treaty nugatory. No neglect of the provisions of a treaty on former occasions could lessen the obligations of those who were parties to it. He would vote for the Motion, not merely because he sympathized deeply with the sufferings of the people of Poland, but because he desired to vindicate the honour, and dignity, and good faith of England.

SIR HARRY VERNEY said, he must confess that the arguments which the noble Lord opposite (Lord Robert Cecil) had addressed to the House confirmed him in the belief that England was bound by treaty obligations to interfere; and if we abstained from interference on this occasion, we should make ourselves, to a certain extent, parties to the atrocities that had been inflicted by the Russians upon the Polish nation. Russia had proved, by the efforts of many years, her inability to govern Poland, and this was strongly felt by the Russians themselves. Russia was disorganized by the frequent attempts to crush the spirit of the Poles; the Russian army in Poland was far from being well-affected to the flag under which they served; and the civil service in Poland was so corrupt and unable to discharge the duties devolving upon it as to draw down shame upon the Government of the Emperor. Russia itself was tired of the strife, and this was evidently a time when the state of the country did afford considerable hope that any effort that was now made in the interest of Poland by the various Powers of Europe would be likely to prove successful; and, moreover, he thought it probable that Austria, the Northern States of Europe, and perhaps the whole of Germany, would be ready to combine to assist the Poles in resisting the Russian atrocities; for Poland, reconstituted into an independent kingdom, would form a most important barrier for Germany against Russia, which was at present advanced into the very heart of Germany. He thought that the part which Prussia had taken in this affair had drawn shame and disgrace—not upon the people, for he believed that the Prussian people disapproved of the conduct of the Government—but upon the Monarch and his Government. It should be remembered, with respect to the present strife in Poland, that there had been a fixed purpose on the part of the Russian Government to provoke the Polish nation into an insurrection. The Poles had acquired moral strength by the passive resistance which they had hitherto offered to the Russian rule, and the Russian Government had determined to break it. Domiciliary visits were paid to the inhabitants at the dead of night, in order that the police might satisfy themselves that the conscripts were in their places; and when the Polish *noblesse,* having been invited by the Russian Government to state their grievances, presented a respectful address, they were arrested and thrown into prison, and Count Zamayski, who presented it, was banished to England; and this must have been done by the Russian Government because they knew that these were the very men whose calmness and good sense would be exerted to prevent their countrymen from rising in insurrection. In fact, they must have desired to stir up the Poles to insurrection. He could not concur that the Polish insurrection was powerless against the Russian troops, but it certainly would be powerless unless it met with the assent and encouragement of Europe. It was his firm belief that that House had the power to induce the Government to unite with other Governments to give that encouragement to the Poles which would make the insurrection successful, or, at all events, enable them to prolong their resistance till the other Cabinets of Europe could intervene in a manner that was likely to be successful. It was our duty, alike from motives of policy and humanity, to try and put a stop to the horrors which were being perpetrated in the centre of Europe, and to demand that the stipulations of the Treaty of Vienna should be observed. And if moral interference failed, the Government ought to show that they were ready to interfere in a material way, and to give assistance to those who were in arms to recover their rights. A doubt had been thrown out as to whether the Polish people were worthy of such assistance. He believed that they were; and that if liberty were granted to them, Europe would have no reason to regret it. The marked unanimity with which this subject had been discussed to-night ought to decide the Government to take that course. With them, in a great measure, rested the solution of this important question; and if they acted the part dictated alike by humanity and policy, they would be supported by the public opinion, not only of this country, but of every civilized nation in Europe.

SIR MINTO FARQUHAR said, he doubted much whether the part England had taken in this matter had been conducive to her character and high position. We had openly proclaimed our interest in the fate of Poland, and by words and the expression of public opinion had encouraged the Poles to look forward to the time when they might regain their liberty, and throw off the yoke of Russia, which had for so long crushed them to the ground; but he had often reflected that all this was only outward display, and that we had never shown ourselves ready to act up to what we said. Poland's cup of bitterness was now full; and this was an occasion on which our Government might well come forward and say that the people of Poland should not drink that cup to the dregs. It would be for the noble Viscount the First Minister to tell them what had been done, and whether the Russian Government had offered any explanation of the course they took on the 14th January. What was the public opinion of Europe, the press had declared: it could no longer be concealed that this was a European question; and it depended on the course of our Government whether there should be an intervention to wrest Poland from her present difficulties and oppression, or whether these should some day be the cause of a general European war. They had been told that day that the alleged convention between Russia and Prussia was a mythical convention, and he hoped that that was so; but let it be remembered that the noble Lord at the head of Foreign Affairs, had said a few days ago in another place that he had understood from the Prussian Ambassador, that the Russians would be permitted by that convention to pursue the insurgent Poles, and take them prisoners if they could, on Prussian territory. From what had passed in the Prussian Chambers he hoped there had been some misunderstanding; but if such a convention had been made, he trusted that the Prussian Government, when it saw what were the opinions, not only of Europe, but also of the Prussian people, would withdraw from that convention before it was too late. In the able speech in which he had introduced the subject to the House, the hon. and learned Member for the King's County had referred to the Polish insurrection in 1831. At that time he (Sir Minto Farquhar) was attached to the Embassy at Vienna; and he remembered the interest with which he traced on the map the movements of the Russian and Polish armies. The Poles then had a large army, and the occasion was one on which European intervention might have led to satisfactory results; but neither England nor France was prepared to take active steps in favour of Poland, and the insurrection was suppressed. He had hoped, from the course that the Emperor of Russia had pursued towards the serfs, that he had made up his mind to adopt a more liberal policy towards Poland; and he could hardly believe it possible, when he heard of the proceedings of the 14th January, that they could have occurred in this civilized age. He was told that the invasion of the homes of Warsaw by the Russian soldiery took place in spite of the advice of Russians of high position. As this revolution had been well described as a revolution of despair, he trusted it would lead to the interference of Europe. He for one protested against the course which had been pursued, and he hoped that they would now hear from the Government that they too would protest against such acts of cruel oppression, and that, in conjunction with France, and, he hoped, Austria, a joint diplomatic intervention would take place which would show that Europe was not prepared to see the Poles oppressed any longer, and that thus at last the hopes they had always entertained would be fully realized.

Mr. GRANT-DUFF said, many English and Irish Members have already risen in this debate. I rise as a Scotch Member to say that my countrymen also deeply sympathize in the Polish cause, and to express in their name the same sentiments which have been already repeated in every part of the House. I do not wish to say more upon the general question; but one or two points have incidentally risen in the debate about which I should like to say a few words. And, first, with regard to Prussia. I am extremely glad that every one who has addressed us to-night has drawn a strong distinction between the conduct of the Prussian Government and of the Prussian people. On a former occasion, when the noble Lord opposite (Lord Robert Cecil), drew attention to the misconduct of the Prussian Government, that distinction was unfortunately not so carefully made, and the result was an amount of bad feeling in Germany, which seriously for a time diminished our influence in that country, and did the greatest possible mischief. Sir, it is said that the Polish cause is not so popular in Germany as it is in England, and that is true to a certain extent; but here also a distinction must be taken. The Prussians think of the Poles chiefly as politicians, and as very impracticable, and sometimes very provoking, politicians; but, although disliking them as politicians, they know well, from their own experience, how to sympathize with brave men engaged in a struggle for their independence. Much has been said and written in Western Europe about Poland, but nothing, I think, that has been said or written upon that subject—not even those lines to which the hon. Member for the Queen's County so gracefully alluded at the close of his speech, have ever sunk so deeply into the heart of a nation, as those famous German lines which record the adventures, the achievements, and the fate of the 4th Polish Regiment. The hon. Member for Maidstone observed that, in the matter of this convention, it is the King who is to blame. That, Sir, is perfectly true, but he went on to say what was not equally correct. The King of Prussia has not always been the friend of the oppressor, and the enemy of the oppressed. During the Crimean war, he gained the greatest popularity, and put himself for a time at the head of the Liberal party in Germany, by opposing the Russian party, and protesting against the weak and vacillating conduct of his brother's ministers. It is since he came to the throne that he has fallen into the hands of bad advisers—of that detestable military clique which the people of Berlin so well call the 'Anti-intellect in uniform,' by whom he has been led to disgrace himself as a King, a German, and a man. I have only one other remark to make, and that is with regard to Russia. There is no doubt that this debate will be most carefully read at St. Petersburg, and it will have all the more effect there, from the fact that no expression has been used in it, which could lead any Russian to suppose that any of the irritation caused by the late war still lingers in our minds. In truth, Sir, we cannot too strongly express that we in England desire the prosperity, nay, even the aggrandisement of Russia. We desire to see her develop to the utmost her Greek and Sclavonic civilization and we are well content to see her spread that civilization over the vast regions of Northern Asia; but we do not wish to see her, whilst she is still semi-barbarous, attempt to crush down the Latin civilization of Poland, a nation which has always been connected with the West, a nation which saved Central Europe in 1683. It is this which we think monstrous, and it is against this that we protest.

MR. DARBY GRIFFITH said, that the atrocious barbarities practised by the Russian Government, so revolting as they were to the sense of humanity, were only part of the Russian system, and the moment any country came under Russian rule, these cruelties followed in the natural course of things—the police dogged the steps of every men, and reported his doings in the secret bureau. Everything was ruled by the iron hand of despotism, and the possession of a constitution by an enlightened country under such a despotism was simply and radically incompatible with it. If, therefore, he were to treat this matter logically, he should be obliged to go further than the hon. and learned Member for the King's County, because these facts demonstrated that a civilized country like Poland ought not to be subjected to a barbarous Power like Russia. He was not at all inclined to take that favourable view of the Treaty of Vienna which had been taken by high authorities, and he much doubted whether any of their stipulations were worth much as a security for the liberties of the Poles. The expressions used were so entirely vague, and it was so entirely impossible to bring them down to any defined standard, that he attached very little value to them; and the circumstances under which the treaty was framed entirely confirmed that view. It was well known that it was the great object of Lord Castlereagh to exclude from the possession of Poland Alexander I., whose doctrine was that he was in possession, that he would restore the ancient limits of the kingdom, of which, being Czar of Russia, he would at the same time be King. Lord Castlereagh said it was impossible to have constitutional civilization separated merely by a national boundary from the despotism of Russia; and it was only after a secret treaty had been made in Lord Castlereagh's bedroom, during a ball at Vienna, between France, Austria, and this country, that any impression could be made on the Emperor Alexander. Unfortunately, those who were oppressed were always open to fallacious illusions held out to them by other people, and the Poles had always been open to them. They were the victims of the deception of Napoleon, who made use of their courage at every opportunity and then deserted them. They put faith in the promises of Alexander, welcomed the professions he made, and supported his power; but, by great efforts, Lord Castlereagh prevented the complete consummation of his views, and brought about that ineffective compromise which was to erect the duchy of Warsaw into a kingdom. But it was so inadequate to the aspirations of the Poles that it was a false and fictitious arrangement—like other fictions of the day, such as the suzerainty of the Porte over the Danubian Provinces, the British Protectorate over the Ionian Islands, and other similar expedients. Alexander did so far fulfil his promise to the Poles as to give them a nominal constitution, but he soon found himself in a collision with them which became perpetual; a revolution occurred, and it had since been held that that revolution annulled the treaty. At any rate, its arrangements were so insincere that it was impossible the Poles could derive any benefit from the treaty, and their aspirations were for the restoration of the original limits of the country. The whole question between Russia and Poland related to the province of Lithuania, and the offence in the address lately presented by the nobles to the Czar was the suggestion that Lithuania should be added to Poland, which was held to be treason. The Poles would not be content with the Duchy of Warsaw; they always referred to the treaty between Russia and Prussia supplemental to the Treaty of Vienna, in which the condition of the country previous to 1772 was referred to, although that reference only related to internal communication, and was, in fact, a mockery and an illusion; and to talk of anything less than that as likely ever to tranquillize or satisfy the Poles was perfectly futile.

Mr. HENRY SEYMOUR said, that one fact stood out in clear relief in the debate—namely, that if the Government pursued a course consistent with the honour and dignity of England, they would receive the unanimous support and sympathy of the House, which, judging from the tone of the debate, reflected the unanimous feeling of the country. They had heard of conduct on the part of the Russian Government which brought a blush to every cheek, and of conduct on the part of the Prussian Government such as induced him to think that next to the Poles there was no people so much to be pitied as the Prussians. The conduct of the King of Prussia brought dishonour on the nation; and he hoped that the spirit of the Prussians would not be less than that of the Italians and the Greeks, and that they would vindicate in 1863 those principles which made them rise as one man in 1813; and he hoped that the first Protestant State in Europe would not be the last to accept constitutional government. England was, to a certain degree, responsible for the state of Poland. We were parties to the Treaties of 1815, and it should not be forgotten that England, France, and Austria agreed to furnish 150,000 troops each against Russia, in certain contingencies. It was that convention which saved the Grand Duchy of Posen from the grip of Russia, and preserved Saxony. The Emperor of Russia had obtained the large slice of Poland which was then allotted to him under false pretences, for he said he wished to unite all the Polish provinces under one Government and to give them a constitution; but the conditions under which he received it had all been violated. If he had given constitutional institutions to that country, the Czar would have secured not only an attached people, but he would have become the head of the Sclavonic race, and advanced his own country to civilization. At the period of the revolution of 1831, the indignant protests of England had some influence on the Czar. Such a result should induce the House to support the Government in taking a vigorous stand upon this question; and if they could not procure the restoration of Polish nationality, which would be most difficult, and which must, he feared, be fought out between Russia and Poland, the united protests of England, France, and Austria would surely have an effect upon the councils of Russia and Prussia, and at least obtain for Poland some of those institutions which had been guaranteed by treaty. Every debate in this House ought to have, as far as possible, a practical issue, and the Government ought, in conformity with the feeling of the House, at once to protest indignantly against the conduct of Prussia, which had been quite contrary to the usages of modern international law. As to Russia, the Government should unite with France and Austria—not in demanding the performance of the stipulations of the Treaties of 1815, for they could scarcely expect France, whose cry for the last ten years had been, "A bas les Traités de 1815!"—but in protesting against the treatment of the Poles, and in asking that the nation should receive a constitutional government. If this were done, the revolution might have an auspicious ending, and the free institutions conferred upon Poland might open the way for the grant of the same privileges to Russia herself. With regard to the Resolutions, feeling the utmost confidence in the noble Viscount, he should be unable to vote for the last paragraph, and he hoped, therefore, that the hon. Gentleman would substitute a paragraph expressive of that confidence, thus enabling the whole House to join in a unanimous vote on this subject.

MR. MAGUIRE said, he entirely adopted the last paragraph of the Resolution of his hon. Friend (Mr. Hennessy), and thought the House would come to a lame conclusion if, after admitting the preamble of the Address, and expressing a unanimous feeling in favour of this oppressed and afflicted nation, they did not come to something like a practical conclusion on the subject. It might be, that if there had been no treaties to which England was a party, it would not be our province to interfere; but there were treaties to which we were party, and which guaranteed certain rights to the oppressed Polish nation. The noble Lord at the head of the Government had formerly declared that there had been an infraction of treaties and a violation of rights, but since he made that declaration there had been a still grosser violation of those rights. It was not right to say that his hon. Friend asked the House to pledge itself to a vote of hostility against Russia, but he did ask the Government to interfere. And, surely, there was no Government which was more accustomed to interfering with other countries than the Government which now occupied the official benches. The noble Lord's Government was frankly invited not to send bayonets but to make representations of the strong and indignant feeling of the country against continued oppression, and to do on behalf of England what the other nations of Europe were doing to express sympathy with the oppressed, and to restrain the hand of the oppressor from further violence. They all knew that the noble Lord had interfered, and sometimes when it was believed by some persons such interference was not warranted; but if ever there was a case where interference was not only justified but commanded, the case of Poland was that one. There had appeared in *The Times* an important document, a confidential report of the civil Governor of Lublin to the authorities at Warsaw, seeking the protection of the Russian Government for the citizens against the troops sent to suppress the insurrection. That report showed a state of things which called for the interference of every humane Government. It stated—

> "On the 5th, about 5 a.m., a detachment of the Imperial army, consisting of infantry and Cossacks, surrounded the town of Tomaszow on all sides. The insurgents, some of whom were on guard and the rest in the barracks, perceiving this, assembled, and, after pushing through the ranks of the troops, took up a position outside the town. After a few shots on both sides, the army, not attempting to pursue the insurgents, rushed into the town, and fired several strong volleys with their rifles at the houses occupied by *employés* and citizens, after which the soldiers scattered themselves over all the streets of the town, and began to rob and murder innocent and unarmed people."

The document gave a long list of victims, and concluded with a long and detailed description of the miserable condition of the whole neighbourhood, which had been desolated and deprived of its inhabitants, who, taking with them all they could, fled, no one knew whither, before the robbing and murdering soldiery. The Polish nation wanted no armed intervention, because they desired to achieve their own independence; but if the facts stated by his hon. Friend were true, and they were admitted to be so, then the Parliament of Great Britain ought to do something more than pass a mere vague Resolution. If the Government did not interfere now, they must never speak of sympathy for oppressed nationalities and struggling peoples. The Government would falsify all their past professions, and disappoint the people of this country, if they did not adopt some practical Resolution upon the present occasion.

MR. WALPOLE: Sir, I never listened to a debate in which I have heard more unanimity and more discord. There has been the greatest possible unanimity of sentiment, and the greatest possible diversity of opinion as to the nature of the practical resolution which we should adopt under the circumstances in which Europe is now placed. We are painfully unanimous in the deep sympathy expressed for the much-oppressed, much-suffering people of Poland. We are indignantly unanimous at the terrible oppression which has now been wrought upon that people more violently than ever—crushed as they are under the iron heel of Russia in a manner more cruel even than has been inflicted upon them before. And we are, I think, sadly unanimous in thinking that there is another Power, with whom we are nearly allied, which has been betrayed into what I could almost call a mean and infatuated compact with reference to a people over part of whom she reigns herself, and with the rest of whom she ought to sympathize by every feeling of honour. Thus far we are unanimous. The real question seems to be how we are practically to deal with this subject, and what is the practical test to which we should bring it. Now, here arises an amount of diversity equal to the unanimity which has been expressed by the House upon the former point. My hon. Friend the Member for the King's County, in a speech which does him infinite credit for its ability, for its information, for the knowledge it evinced, and for its extraordinary temper and moderation, concluded his Resolution with a paragraph concerning which two of his supporters can so little agree as to its meaning and purport, that while one of them, my hon. and learned Friend the Member for Tiverton (Mr. Denman), thinks it so weak as to require strengthening, the other, the right hon. Member for Horsham (Mr. S. Fitz-Gerald), thinks it so strong, that if acted upon—and I confess I concur in that opinion—it must, if not necessarily, at least probably, lead to war.

Mr. DENMAN: I certainly did not consider the Resolution too weak; on the contrary, I objected to it because I felt that such a Resolution could not be on the records of this House without meaning almost immediate war.

Mr. WALPOLE: That observation was confirmed by the proposition of the hon. Member for Berkshire (Mr. Walter); and this should lead us to consider whether at this moment we are prepared to adopt a Resolution which will inevitably lead you step by step into war. Before we arrive at that conclusion we ought to pause. My right hon. Friend the Member for Horsham, in one of those speeches which come home to the heart of every one, for the feeling and ability it displayed, has recommended us to press on the Government the propriety of offering, in conjunction with France and Austria, an immediate remonstrance; and, possibly, that would be the most effective course. But I apprehend that this Resolution would lead to a war—that the concurrence of three Powers remonstrating with such a Power as that remonstrated against would lead to a war which would not end in freeing the Poles, but which might end in a war which we do not intend or contemplate, probably in the Rhenish provinces. The hon. Gentleman opposite says—but I do not think he could have seriously intimated it to the House—he thinks that we should add to the Resolution that we will proceed on the principle of non-intervention. My noble Friend the Member for Stamford (Lord R. Cecil) urged an argument which would lead us immediately into action, if it were an argument solely applicable to the present difficulty. He told us there is such a violation of treaties and engagements that we are bound in honour and public faith to take up this question immediately. Well, but I ask you—these treaties and engagements having been violated for forty-five years, why this argument was not as applicable during that time as now, when the matter has assumed a new phase owing to the misconduct of Russia? Well, the two last hon. Gentlemen who have spoken have stated their desire to bring the question to a practical conclusion. I believe the most practical conclusion you can bring this question to is not to destroy the unanimity of this House, which will go out to Europe and the world—do not, I say, destroy that unanimity by anything which shall seem to approach to anything like division among you. The question, therefore, seems to me to resolve itself into this. Is the Government prepared to echo the sentiments which have been expressed in this House? If they are prepared to echo those sentiments, is the House prepared or not to leave to them the responsibility of enforcing those sentiments? I think there is danger in this House assuming a responsibility it cannot exercise for itself; and I think there is no danger in leaving the responsibility to the Government, who have expressed themselves already upon this question in terms as cogent and forcible as any that have been used in this debate; and I, for one, am prepared to support the Government in leaving to them the responsibility, if they will only give an assurance to the House that they will honestly carry it out.

Viscount PALMERSTON:—Sir, it is natural, on a subject which excites so much feeling, not only in this country but on the Continent, and especially in a neighbouring nation, that this House should re-echo the sentiment which prevails so strongly out of doors; and I must do the hon. Member who moved these Resolutions the justice to say, that in the manner in which he has brought the matter forward there was nothing of which anybody had a right to complain. With regard to myself, who have been quoted by the hon. Member, both as to what I have said and what I have written, I have only to say that I do not stand here to unsay anything which I may formerly have said, nor to retract anything which I may formerly have written. The Governments of which I have been a Member have always entertained the opinion which it was my duty to express, that in this matter of Poland, the engagements of the Treaty of Vienna, especially as regards Russia, have been systematically and long violated. It is impossible not to feel the deepest sympathy for the Polish nation. They have for a century been most singularly unfortunate. They were unfortunate before the Partition in having a constitution which, whatever some of its merits may have been, was tainted with the gravest possible defects. They were unfortunate in the successive Partitions which deprived them of their nationality. They were unfortunate when the First Napoleon entered the Polish territory on his way to Russia, because he did not then think it expedient to take advantage of that occupation for the purpose of restoring Poland either to entire or modified nationality. They were unfortunate at the Congress of Vienna, because at that time, however anxious the British Plenipotentiary was to restore Poland to a considerable degree of nationality, the power of Russia prevented it, and when Lord Londonderry (then Lord Castlereagh) urged certain conditions, the answer of the Emperor of Russia was, "I have 200,000 men in Poland, and I cannot agree to the proposal you make." They were unfortunate afterwards, inasmuch as the good and liberal intentions which I believe animated the Emperor Alexander at the time when the Treaty of Vienna was signed were not afterwards adhered to and carried into execution. It is well known that at the time the late Prince Czartoryski was the confidential adviser of the Emperor of Russia, and you see in the provisions of the first article of the Treaty of Vienna the hand of a friend to Poland—a person interested, who looked forward to a better futurity for his countrymen—for in that Article it is said that the Emperor of Russia reserves to himself to give such internal extension to the kingdom of Poland as he may think fit; the meaning of which, I believe, was, that the Emperor contemplated at that time adding to the kingdom of Poland some of the ancient provinces which had been incorporated in the Russian Empire. But, Sir, it is the fate of despotic Governments that much depends on personal influence; and when personal advisers change, the policy of the Government changes too, and so it happened these good intentions were laid aside. And although a constitution was given to the kingdom of Poland in accordance with the provisions of the Treaty of Vienna, yet that constitution soon became a dead letter, and in the administration of the kingdom of Poland under the Grand Duke Constantine, there were grievances that justified the insurrection which took place in 1831. Then, Sir, I say, it is impossible for any man seeing, on the one hand, the great and distinguished qualities that belonged to the Polish nation, and, on the other, the calamities which from time to time have befallen them, not to take a deep and lively interest in their fate.

We have been reproached in some degree by the hon. Member for the King's County, for not having in 1831 and 1832 availed ourselves of a communication made by France for the purpose of inviting some action at that time in favour of the Poles, then in arms against Russia. We had at that time to consider a great many balanced circumstances and motives; and with every disposition to do what we might think useful to Poland, we did not think that particular proposal was one which would have led to any good or useful result. It might have embarrassed us on other questions then pending, and could not, as far as we could foresee, be attended with any good practical result to the Poles themselves. We therefore declined at that time to interfere otherwise than diplomatically, but we have always held that the conduct of Russia towards Poland has been a violation of the stipulations of the Treaty of Vienna. Prussia and Austria have not been liable to the same degree of reproach. Literally they have carried into execution, in regard to their respective portions of Poland, the stipulations of the Treaty of Vienna, because in the duchy of Posen and Galicia there is a national representation sitting in the aggregate Parliament; the language is preserved, the religion is respected, and the rights and privileges stipulated have been enjoyed. And, speaking of Prussia, I must here remark, that however we may condemn the spirit and intention of that convention which we understand was signed lately between Prussia and Russia, I am inclined to think, from information we have received, that the apprehensions which we have been led to entertain with regard to that convention are not likely to be realized in the result. I believe that convention has not been ratified—no ratifications have been exchanged, and I am inclined to think, not only from what passed in the Prussian Chambers, but also from the information we have received, that it is not likely that convention will, in its objectional parts, be carried practically into execution. I am speaking, however, not officially, but from information we have received; for we have not yet had a copy of the convention itself. I trust that it may be so; because such an interference of Prussia with what is now passing in Poland would excite, as it has already excited, great condemnation everywhere; and if that conventional interference were followed by acts, it would cast discredit on the Government of Prussia. Sir, the present Emperor of Russia has, in regard to Poland, been placed in a very difficult position. It is a great misfortune for anybody to succeed to an inheritance of triumphant wrong; and it is difficult for a person so circumstanced to disentangle himself from the poisonous folds of so fatal a bequest. There is in the mind of man a strong passion — a determination — to maintain and to vindicate his own personal liberties; but there is also a strong passion, and I doubt whether it is not as strong a passion, which makes men cling to the power of exercising oppression on others; and when long-rooted habits have accustomed the authorities of a Government to administer a tyrannical system, it requires great perseverance and activity on the part of the Sovereign to undo the evil and restore things to their proper condition. I do believe that the present Emperor of Russia, a kind-hearted and benevolent man, does mean, and has meant for some time past, to improve the condition of his Polish subjects. That would be in perfect unison with the system on which he is governing his Russian subjects. The Sovereign who has emancipated the serfs—the Sovereign who is establishing a system of jurisprudence founded upon an imitation of the best judicial codes of Europe—a Sovereign who is introducing into his Russian dominions a vast number of modern improvements—cannot surely have it in his heart intentionally and systematically to crush and oppress any portion of his subjects, whether Russian or Polish. Well, Sir, there can be no doubt that this last act, called a conscription, but which has elsewhere been more properly designated a proscription, was an act wholly foreign to that disposition which, I believe, really animates the breast of the Emperor of Russia; and it accounts entirely for the outbreak which has occurred in Poland. It was a most barbarous measure—it was a most cruel piece of political tyranny under the semblance of a merely military arrangement. No wonder that the Poles should have taken up arms to prevent the further execution of a measure of that kind. I believe that, as far as one hears, that has in some degree now been stopped, and has ceased.

But, Sir, the question mooted by the Resolution before us relates to the conduct of Her Majesty's Government, with a view to communications about to be made to Russia. Now, I cannot conceive that a Sovereign gifted with the qualities which I believe are possessed by the Emperor of Russia, should not see that, in the contest in which he is now unfortunately engaged with the Polish nation, military success would be a great and signal calamity. Why, what would be the effect of military success—what would be the result if, by the action of his troops—by the overpowering force of the 100,000 men who had been sent to Poland—he were entirely to suppress and put down this extensive insurrection? Why, he would have a country in which the desert plains would be bathed in blood—in which there would be nothing seen but the smoking ashes of ruined villages and towns. Is that an object which any Sovereign can wish to arrive at, and should he deem it an advantage to him to obtain a success of that kind? Sir, if the Emperor of Russia saw his own interest—and we give him credit for being an enlightened man—he would think the course best calculated for his own advantage—the course best adapted to secure the permanence of his own authority as well as to promote the happiness of his people—would be to put an end to that revolt by an act of generous amnesty, and by, at the same time, re-establishing in Poland those institutions which the Emperor Alexander gave in execution of the Treaty of Vienna. I cannot believe but that, if that were done, peace would be restored in Poland, and might continue to exist there, and that Europe might be saved from those disturbances which the continued misgovernment of Poland, and the discontent thereby engendered among the Poles, cannot fail to reproduce from year to year, as has been the case in years that have gone by.

But, with regard to the particular Motion of the hon. Member for the King's County, I should hope that he would be satisfied with the unanimous expression of opinion which has been the result of this discussion, and not press to a division the Resolution he has placed, Sir, in your hands. The objections to this Motion are really very great. It proceeds upon an erroneous foundation. The hon. Member assumes that by the Treaty of Vienna we are under an obligation to interfere in the affairs of Poland. We have a right to interfere, but we are under no obligation to do so. And although to those who have not turned their minds to diplomatic document sthis may appear to be a nice distinction, yet there is a real, substantial, and most important distinction between treaties which give you the right to interfere and those which impose on you the obligation to interfere. Now, in the Treaty of Vienna—in that treaty of June 15—there is only one obligation by which we should be compelled to interfere in a case that might arise—namely, that article of the treaty which stipulates that the Powers guarantee to Prussia the continued possession of the portion of Saxony which was allotted to Prussia by that arrangement. But there was no guarantee whatever in the engagement which relates to the kingdom of Poland, nor in any other part of the treaty—except, indeed, that which concerns the independence and integrity of Switzerland. Now, the hon. Gentleman throughout his Resolution proceeds on the assumption that we are under an obligation to interfere; and, consistently with that assumption, in the concluding passage he calls upon the Government to interpose, and vindicate the public faith and solemn engagements of the Crown. Why, Sir, if in truth we were under an obligation to interfere, the Resolution would be right and fitting, and would, as has been observed by hon. Gentlemen who have spoken in this debate, amount to this—that unless the remonstrance which might be made in virtue of that obligation were attended with success, the Crown would be compelled to call upon this House to give it the means of enforcing by arms those stipulations, the just fulfilment of which was refused when urged by diplomatic communication. Therefore, there is that grave objection to that particular Motion of the hon. Member. And if, as I think everybody must admit, unanimity is desirable, we already see that there have been two or three Amendments proposed to his Resolution, and that consequently it is not likely either one or other of the three would secure the unanimous assent of this House. There are other less material criticisms to be made. The hon. Member proposes that which I believe to be unusual—namely, to record, in an Address of this House, quotations from *Hansard* of that which a Member of this House may or may not have spoken on some former occasion. I apprehend he does me the honour—and I am sure I am much obliged to him for it—of proposing to insert in a solemn Address of this House extracts from speeches which I am supposed to have made. But I do not think that a course, which would be altogether consistent either with the usages or the dignity of this House. Then, Sir, in the interest of that cause which the hon. Member has at heart—which the whole House have at heart—which I believe the country has at heart, and which I am sure that he and all who hear me must wish to see promoted in the best manner possible for the advantage of those whom it concerns, I should say that the course best adapted to accomplish the purpose he has in view would be to content himself with that unanimous expression of opinion which has been elicited to-night—to let it go forth to the world, as it will go to-morrow, that of all the hon. Members who have spoken on this occasion there was not one who had a different opinion from the rest in regard to his interest in the fate of Poland or as to his sense of the injuries which the Polish nation have sustained. I submit that, as was well stated by the right hon. Gentleman opposite (Mr. Walpole), it is better to leave it to the responsible Government of the country to give to the Sovereign on this matter such advice as they may think best calculated to attain the object which all desire, and not to take upon the House a responsibility of detail which belongs properly to Her Majesty's Ministers; resting assured that the sentiments expressed by the House this evening are equally shared by those who have the honour of holding office under the Crown. I would, therefore, suggest to the hon. Gentleman that he should now allow the House to go into Committee of Supply, and be satisfied with the result—which, I am sure, is honourable to him, and must be satisfactory to all who take an interest in this subject—of the discussion in which so many Members have expressed opinions entirely in accord with each other.

MR. DISRAELI: Sir, we often hear it said, in the course of these discussions, that the Partition of Poland was a great crime. If it were a great crime, it was a crime shared by the Polish people. The political existence of twenty millions is not destroyed without there being some faults on their side. But whether or not it was a great crime, there is no doubt for Europe it was a great misfortune. Since that Partition, let us recollect what has occurred in Europe. The greatest events which have ever happened in Europe have happened since the Partition of Poland. The whole of the French Revolution, and all those immense results which flowed from that great ebullition, have since then occurred. Since then there has appeared a character on the European stage who alone in modern times could be classed with the Alexanders and the Cæsars of antiquity. All the boundaries of the kingdoms which existed when Poland was partitioned have been altered; the laws of almost every country in Europe have been remodelled; new codes have been introduced; and new Governments called into being. In short, greater and more numerous changes have occurred in the eighty years since that event than were probably ever before crowded into any similar period of the history of man. Sir, I think it very much to the honour of an English statesman—and of an English statesman who had not in his time that credit for his sagacity which I believe posterity now accords to him—I think it much to the honour of Lord Castlereagh that after such immense events, being called upon to take a leading part in the settlement of Europe, he should not have been blind to the importance of restoring, if possible, the political integrity of Poland; and that, with all those arduous and onerous duties which devolved upon him at the Congress of Vienna, he felt that the restoration of the political independence of Poland was a result necessary to the future ease and tranquillity of Europe. Let us remember what were the circumstances under which Lord Castlereagh, as the representative of British policy, conceived and counselled the restoration of the political independence of the kingdom of Poland. He was supported in that policy by Austria and France; he was opposed by Russia. Austria and France were then exhausted Powers; England was suffering from immense exertions; but Russia, from a combination of circumstances, was in a position of irresistible and unprecedented strength. It was under those conditions that Lord Castlereagh, though aided by the sympathy of France and Austria, felt that he was obliged to relinquish the plan which he was then of opinion would be of most eminent advantage to the future prosperity and tranquillity of Europe. But what are the circumstances under which we are now considering the question? England is not suffering from the consequences of an unprecedented exertion of its energies continued for twenty years —England was never so powerful, never so united as it is now: France is not an exhausted Power; and I am happy to believe that Austria is daily gaining strength and authority—strength and authority due not merely to the possession of the great resources which have always belonged to that empire, but to the prudence, sagacity, and wisdom which distinguish her counsels. But if the position of England, France, and Austria is so strong and so promising, what is the position of Russia? The position of Russia is not that which dictated the answer that the noble Lord has quoted—the haughty reply that 200,000 Russians were in possession of Poland, and that that was the only answer that would be given to the politic counsels of the English Plenipotentiary. Well, Sir, Lord Castlereagh under those circumstances, representing with great ability and foresight the interests not only of England but of Europe, gave up the restoration of the independence of Poland, and had recourse to another scheme. He secured by treaty to Poland a certain form of independent government. But although England relinquished his policy, still under that treaty she possessed rights, and had the opportunity of standing upon them. I cannot agree with the noble Lord that the hon. Gentleman who introduced this question to-night with so much ability, laid down the position that there are obligations under the Treaty of Vienna which force England into action; but there are moral obligations which the noble Lord cannot deny, resulting from the position that we occupy under that treaty—moral obligations of the duty of fulfilling which we may avail ourselves whenever the opportunity is afforded. The present position of affairs in Poland is that another insurrection has occurred. The hon. Gentleman who has introduced the question has expressed in his speech, and, indeed, in his Motion, what is justly described as the unanimous feeling of Parliament and of the country with respect to that insurrection. The noble Lord (Viscount Palmerston) objects to the mode in which the expression of the opinion of the House is called for. Under the circumstances of the case, the great object is to elicit an expression of opinion on the part of the House; but how far the hon. Member ought to proceed depends upon the conduct of the Government. If the Government, for example, had adopted a line of policy opposite to the course recommended by the hon. Gentleman, he would have been perfectly justified in asking the House to support either a Resolution or an Address which asserted the policy that he advocated. On the other hand, if the policy recommended by the Government was one similar to that which was advocated by the hon. Gentleman himself, such a proceeding would be quite unnecessary. There is, however, a third position which I think has not been sufficiently considered—that of a Government which does not frankly communicate to the House the policy—the general policy—which it intends to pursue. Because I must say, that although I listened to the noble Lord with great attention, I did not at all collect from him what was the general course which Her Majesty's Government intended to pursue with regard to this matter. To expect that we should become acquainted in detail with the measures which the Government may think it desirable to adopt at this moment would be most unreasonable; but I did not hear from the noble Lord any expression of opinion as to what he thought might be desirable or practical, or even as to the spirit in which Her Majesty would be advised by her Ministers with respect to the present state of affairs in Poland. I think that is much to be regretted. The hon. Gentleman must decide for himself as to the course which he should pursue in the matter. I myself think it would be extremely unadvisable to have any appearance of a difference on this subject. At the same time, I entirely disagree with the critics who have found fault with the language of portions of the Address. If the House is in a position in which an Address is necessary, there is nothing in the Address of the hon. Gentleman which could be cavilled at. It is, of course, in the power of any hon. Gentleman to place his own interpretation upon the words of that Address. One hon. Member smells gunpowder in the last sentence. I should not myself, if I thought an Address requisite under the circumstances, shrink from the adoption of this form of words. Putting upon this Address the natural interpretation of its phraseology, I understand that it means this:—That Her Majesty's Ministers are not to pass the present state of Poland over in silence, that they are to avail themselves of their rights under the treaty, and to take every other proceeding which they think wise and expedient to carry into action a policy favourable to the Poles. In my opinion that does not necessarily mean war, and I think that we must all of us indulge in more than the hope that great and beneficial changes will take place in the condition of Poland without an appeal to the last arbiter of human destiny. I do not presume to give counsel to the hon. Gentleman; but I will venture to give him this advice, either to proceed with his Address, or, yielding to what I think is the general feeling of the House and for the sake of unanimity, to withdraw it, but not on account of false scruples to consent to have the Address which he has proposed in a very spirited manner, and which very effectively represents his sentiments, emasculated in its language or changed in its expressions. I think that the hon. Gentleman must feel that he has obtained his main object in originating a discussion which has been sustained with power, and which has, no doubt, made Her Majesty's Ministers clearly understand that in the House of Commons there are not two opinions respecting the state of affairs in Poland. I always shrink from any expression of political sentimentalism. I do not know any people who have suffered so much from political sentimentalism as the Poles. Year after year there have been people living in Paris and London, some of them in a state of comparative luxury, stimulating their unfortunate countrymen in Poland to fruitless insurrection and to useless revolt; and all this time we have been favoured by them with expressions of feeling, which—if expression of feeling would effect the salvation of nations—have certainly been abundant and profuse. But what makes me hope that in the present state of circumstances there is a chance of the great English policy which Lord Castlereagh counselled and recommended being carried into effect is, not only that the position of England, of France, and of Austria is very different from what it was in 1814 and 1815, not only that the position of Russia is very different from what it was at that critical period, but that in Poland we have at present a sheer insurrection of the people against oppression. It is a movement not originated and not stimulated by foreign emissaries. It has not been created by conspiracies in other countries ; it has not been fostered in order to promote local ambition or the objects of faction. It is a national movement ; it possesses all the elements of a sacred cause, the love of country, the memory of a glorious past, and, as I hope and will believe, the inspiration of a triumphant future.

Sir ROBERT CLIFTON rose, to express a hope that the hon. Member for the King's County would go to a division. The House was entitled to some more definite answer from Her Majesty's Government.

Mr. WYLD said, that since they were not going to a division, he could not allow this opportunity to pass without entering his protest, as an individual in a free State, and as a Member of this House, against the atrocities that were now being committed in Poland. The policy of Russia since 1831 had been utterly to ignore the Treaty of Vienna. He wished, on behalf of his constituents, to enter his protest against the conduct of the Prussian Government in this matter.

Mr. HENNESSY said, he thought he should only be acting in accordance with the general wish if, after the debate which had taken place, he withdrew his Motion. He did so, however, with the object of enabling any other Gentleman to bring forward the same or a similar Motion on a future occassion if necessary.

Amendment, by leave, *withdrawn.*

THE IONIAN ISLANDS.—OBSERVATIONS.

Lord WILLIAM GRAHAM called the attention of the Secretary of State for War to the increased expenditure for the Ionian Islands in the Army Estimates of this year—the sum set down being £189,000 against £158,000 last year. He did not wish to go into the question of the cession of the Ionian Islands—a dependency concerning the surrender of which the noble Lord at the head of the Government seemed to think very lightly. A time would come for discussing that subject. But, at the same time, he did wish to know why, under such circumstances, we were called upon to pay a larger sum on account of those Islands, than we had paid in preceding years. The Government had certainly clogged the surrender of the Protectorate, by the introduction of so many "ifs" that it was nearly impossible to know under what combination of circumstances the cession was to take place. What were the conditions which had been laid down ? If the new Assembly of the Greek nation should prove faithful to their declaration, if they should maintain constitutional monarchy, if they should refrain from all aggression, if they should choose a Sovereign against whom no well-founded objection could be raised, Her Majesty would wish to see the Ionian Isles united to Greece ; and if this wish should also be expressed by the Ionian Parliament, and if the parties to the treaty were willing to agree, why then the detailed arrangements could be the subject of future communication. The fulfilment of all these conditions appeared to be exceedingly remote, for there was no King, no Republic, and whatever semblance of a Government did exist had been destroyed within the last few days. The addition of the Ionian Isles to the kingdom of Greece, so far from promoting a desirable settlement, would only add one more item to the anarchical mass.

Sir GEORGE LEWIS :—A communication was made by Her Majesty's Government to the Provisional Government of Greece to the effect which the noble Lord has just stated ; but that communication was only of a preliminary nature, and no negotiation has been hitherto entered into with any of the great Powers who signed the Treaty of Vienna, without whose consent it would be impossible to take the first step for transferring the Ionian Islands to the kingdom of Greece. When the time arrives for making this communication, there will be ample opportunity afforded to this House to express their opinion on the subject, and it would be premature to enter into any detailed discussion of the subject at the present moment. I shall therefore confine myself to the question which the noble Lord has placed upon the Notices. The portion of the Estimates to which he refers is a document appended to the Estimates, giving an account of the military expenditure on each Colony, as calculated for the present year, and compared with a similar Return appended to the Estimates of last year. These figures do not represent the amount voted by the House, but are calculations based on the best information in the possession of the War Department at the beginning of each year. It appears that the expenditure last year was not altogether taken from precise data, and fell short of the outlay actually incurred. The Estimate for future years will be rectified upon the information afforded by the Comptroller of Military accounts, and the sum put down for the financial year beginning the first of April next will correctly represent the expenses necessary to be incurred if the present number of troops should continue in the island for the whole year. The expense for the present year will be substantially similar to that of last year, as no alteration will be made in the number. There is no Estimate for public works or fortifications in the Ionian Islands for the present year.

LORD WILLIAM GRAHAM said, that the expense of the four battalions had been greater than was calculated in the Estimate of last year.

SIR GEORGE LEWIS would admit that the expense was under-calculated in the document appended to the Estimates.

COLONEL DUNNE asked why, if the Government had determined to cede these Islands, they should go on incurring the present expenditure, which was not confined to the maintenance of four battalions of infantry. And as to these four battalions, they must be kept somewhere, and therefore it was not fair to charge the expense of them to the Protectorate of these Islands. What was to be done with the fortifications, upon which, within his knowledge, a great expenditure had been incurred? They were placed eighty miles to the north of the boundary of Greece; and, from his own survey of the country, he did not hesitate to say that the Power that possessed Corfu could turn the whole position of the line of Turkey. Would the Government, then, place in the hands of Greece the best point for an attack upon Turkey? No foreign Prince could go to Greece without being a party to a policy of aggression, and the military point of aggression would be Corfu. What he wanted to know was, whether Her Majesty's Government meant to blow up the fortifications of Corfu, or to hand them over to Greece? If they wished to destroy the Turkish empire, they would adopt the latter course, although he did not think the Corfiotes would benefit much by being handed over to Greece. Had the Government taken any measures with the four Powers who were parties to the Treaty of Vienna, for the arrangement of the cession, and were they likely to agree to it?

SIR GEORGE LEWIS: Her Majesty's Government have not entered into any negotiation with the other Powers who were parties to the Treaty of Vienna about the cession of the Ionian Islands.

SIR GEORGE BOWYER thought the statement just made rather extraordinary, because Her Majesty's Government ought, out of mere courtesy, to have communicated with those Powers in order to ascertain their views. He wished to ask whether Her Majesty's Government had received at any time any intimation of the views of the other Powers who were parties to the Treaty of Vienna, as to the cession of the Ionian Islands? He asked this question with especial reference to Austria, because he believed that Austria was peculiarly interested in the matter.

VISCOUNT PALMERSTON: The case anticipated in the Queen's Speech has not occurred, and there has therefore been no communication with any other Power.

MR. ROEBUCK: I am rather surprised at that answer of the noble Lord, because, being at Vienna at that time, I made inquiry of the Austrian Government whether they knew anything about the matter. I was told that Her Majesty's Government had communicated with them on the subject, and a member of the Administration of Austria showed me the reply to that communication. I saw that reply. It was exceedingly well reasoned, and I should like to see it on that table.

VISCOUNT PALMERSTON: My hon. and learned Friend saw a despatch which was read to my noble Friend (Earl Russell) but which was not given to him.

Main Question put, and *agreed to.*

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

TOBACCO DUTIES BILL—[BILL 21.]

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd February], "That the Bill be now read a second time;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the expediency of altering the Laws for raising a Revenue on Tobacco,"—(*Mr. Ayrton,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

THE CHANCELLOR OF THE EXCHEQUER said, that the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) having stated at great length his objections to this Bill, he should be compelled to trouble the House with a few observations in reply. He should first wish to advert to two objections of a general character. One was that this Bill ought to have been considered in connection with the financial arrangements of the year. He thought, on the other hand, that it was more convenient and advantageous to bring in this Bill at a period of the Session when the House could give greater attention to its details. The period when the financial measures of the year were submitted to the House was generally a time of great pressure; and if this Bill had been mixed up with the questions of far greater interest which were usually connected with the Budget, its details could not have been so carefully examined as the interests concerned were entitled. There was another objection—which rested on an entire misunderstanding—it was said that this Bill cheapened the commodity to the rich man, and took no cognizance of the commodity consumed by the poor man. This objection was very wide of the truth. No doubt this Bill tended to cheapen tobacco and cigars of the highest quality, such as were consumed by the rich man, but it also applied alike to every kind of manufactured tobacco. It had been argued by a portion of the press as if there were a difference between the poor and rich in this respect, that while the rich man consumed manufactured tobacco, the poor man consumed tobacco in leaf. But the poor man did no such thing, for even the sale of the tobacco in the leaf was illegal. The leaf was unfit for consumption until it was manufactured, and the effect of the Bill was not to cheapen the high-priced cigar of the rich man, but to open the door of a fair and healthy competition in a commodity which had been excluded from our imports, not by an absolute prohibition, but by a duty so extravagant as practically to amount to a prohibition. So far as the poor consumer was concerned, the present system was as complete a monopoly as if there existed an entire prohibition; while in the case of the rich man the grievance involved was of so trifling a character, if, indeed, one existed at all, as to be hardly worth the consideration of the House. Having made those observations, he should proceed to deal with the Motion of the hon. and learned Member for the Tower Hamlets, which he hoped the House would not be disposed seriously to entertain; for if they should do so, they would be setting a course entirely at variance with established practice. The case at issue, it should be remembered, was one in which the executive Government proposed to the representatives of the people a reduction of taxes levied on the people; and in the history of the last twenty years, during which period more than a thousand proposals of a similar character had been made by different Governments, he was aware of no instance in which one had been met by a Motion similar to that which the hon. and learned Member had brought forward; although on several occasions particular propositions had been characterized as unwise, or of such a nature that they ought not to receive the sanction of Parliament; and sometimes it has been proposed to substitute another proposal in its stead. The present proposition of the hon. and learned Gentleman would do neither of these. The Motion, in effect, went the length of saying, that the executive Government, which was responsible for the taxation of the country, having laid before the House of Commons a Bill the object of which was the reduction of certain duties, a private Member was justified in rising in his place, and while declining to take the sense of the House as to whether the measure was or was not a wise or a good one, seeking to postpone it for an indefinite period. Now, the universal practice of the House, which, he ventured to contend, was founded on wisdom, was altogether opposed to such a mode of proceeding—a mode of proceeding which, if it had been pursued in former years, would have rendered progress in our commercial legislation almost impossible. The minute examination of details which it was the duty of the Government to institute with regard to such questions as the present, and which they submitted to the consideration of hon. Members on the floor of that House when making the proposals which they deemed it to be their duty to lay before Parliament, had hitherto, he might add, been found the practical mode of carrying out great commercial reforms; but if the whole of those details were, because some timid interest or another happened to be the victim of imaginary danger, instead of being taken on the responsibility of the Government, to be sent upstairs to a Committee, to be dealt with by a system of examination and cross-examination, the progress by which our legislation had of late years been distinguished would never have been made. He should, therefore, without hesitation, appeal to hon. Members to say whether they would abandon the wholesome practice which had hither to prevailed, and lend themselves to sanction a course which amounted to nothing more than an evasion of the question at issue. He would not, in the course of the observations which was about to make, trouble the House by entering into a lengthened explanation of those details of the Bill which might more conveniently be discussed at a future stage; but would enter at once into the general merits of the subject, premising that he was at a loss, after having heard the speech of the hon. and learned Member for the Tower Hamlets, to know why he had adopted the particular course which he had taken—why he had not come forward like a man and asked them to reject the proposition. The hon. Member said, he had plenty of reasons for doing so. He had stated that he stood out as the supporter of the existing law, which he seemed to regard as one of a perfect character—a law which had been devised, as he would have it, in 1823, for the purpose of benefiting the revenue and to suppress smuggling, in both of which objects the hon. Gentleman maintained it had succeeded to as great a degree as in human affairs was practicable. Why was it, then, that entertaining that view, the hon. Gentleman had not moved the rejection of the Bill before the House?—a Bill which he appeared to think would have the effect of introducing innumerable horrors into our commercial system. He had conjured up every horror in connection with the ruin of the British manufacturer for the benefit of the foreigner, and, indeed, he had gone so far in his opposition to it as to picture the foreigner gloating over the deserted dwellings of the great manufacturers in this country, and to conjure up images of starving operatives which were quite harrowing. He saw the slave-owner taking the benefit of the Bill; and he saw the Royal monopolist of Manilla deriving incalculable advantages at the expense of the ruined British workman. Those, however, were but old stories after all, and required something in the nature of proof before they could be implicitly relied upon, for prophecies such as those of the hon. Gentleman had been discredited by uniform experience. The hon. Gentleman seemed to think that by the proposal he had made he was giving effect to the wishes of the tobacco trade; but the justice of that supposition he for one disputed. A statement on behalf of two respectable members of the trade had, indeed, been circulated which might be said to be on the hon. Gentleman's side; but their share in the matter was, after all, but infinitesimal, and he himself, who had daily communications either directly or indirectly with the largest manufacturers in the three kingdoms, could safely say that not one of them had made of him the requirement which the hon. Gentleman had made of the House of Commons. On the contary, they had approached the question like practical men, and while submitting that the duty on a particular description of tobacco was fixed at too high a rate, or that certain regulations ought to be relaxed—points which were perfectly legitimate subjects for discussion—never advocated the relegation of the question to a Committee—a course which could lead to no other result than an indefinite waste of time. Now, passing by the minute details connected with the question, it became his duty to show good grounds for introducing the Bill, and for seeking to disturb the present state of things. Those grounds were four, and any one of them would, in his opinion, be sufficient to justify the step which he asked the House to take, while combined they were perfectly irresistible as arguments in its favour. He might perhaps, in the first instance, state that he had that very day received a communication from the Anti-Tobacco society—which, perhaps, had been put in motion by the hon. Member for the Tower Hamlets (Mr. Ayrton)—protesting against the Bill, as being calculated to have the effect of increasing the consumption of tobacco. It would be a piece of the most ridiculous purism to presume that an article which constituted a comfort to the masses ought to be proscribed and repressed, and that for the sake of proscribing and repressing it they should endeavour to keep up something in the shape of a monopoly. There was no reason why the consumer of tobacco should be subjected to disadvantages imposed by the restrictions of the present law when the people were freed from restrictions with regard to every other article. If our fiscal necessities compelled us to levy high duties on tobacco, it was a very good reason, in adjusting the duties on the manufactured article, for being especially careful not to do injustice to the manufacturers of tobacco at home. But, on the other hand, as soon as that object was attained, the price of the article should not be enhanced by artificial and arbitrary restrictions. The next ground upon which the Bill might be supported was the prevention of smuggling. He was astonished at the courage of the hon. and learned Member (Mr. Ayrton) who, with perfect self-possession, could state to the House, that so perfect was the present system, there was no smuggling in tobacco. The opinions of the Government, of the Revenue Department, of the Committee of this House, and of every witness examined before it, were against the hon. and learned Member. The fact was notorious, that smuggling existed to a great extent. Whether they would get rid of it altogether he could not pretend to say, but the provisions of the Bill were of a character which would tend to diminish the inducements and the means of smuggling. It would be a good argument for the present system if it could be said that certain descriptions of tobacco, being prohibited, wherever they were caught they might be seized; but the present law did not prohibit the entry of foreign manufactured tobacco, and while, perhaps, 100 lb. of Cavendish paid the duty of 9*s*. 6*d*. per lb., it was known that there were many thousands of pounds in the country which could not be seized because it was difficult to say which were the particular pounds on which the duty had been paid. In order to operate against smuggling, it was proposed to give the British manufacturer the power of manufacturing Cavendish tobacco in bonded warehouses, and in consideration of the extra expense in respect of the premises, and the disadvantage in disposing of the stalks and refuse, to allow him 4*d*. per lb. The present system charged 9*s*. 6*d*. per lb. on foreign Cavendish, and prohibited its manufacture by the British trader. He proposed to establish a system under which the British trader could manufacture in bond, paying a duty of 3*s*. 8*d*., and the foreigner would pay on introducing the foreign-manufactured Cavendish 4*s*. per lb. He asked the House which system was most likely to prevent smuggling? and he asked the hon. Gentleman whether he was prepared to support the paradox in the face of the House that the duty on cigars at 5*s*. was more likely to promote smuggling than the present duty of 9*s*. 6*d*. per lb. The hon. Gentleman took up the cudgels in favour of the revenue; but if there was any reason for relying on the opinions of the best-informed men, he could confidently state that the change could not be otherwise than favourable to the revenue. He now came to the interest of the manufacturer, and not only did he hope that the Bill would not realize the phantoms and visions which the hon. Member had conjured from the limbo to which he trusted they had long ago been quietly consigned, but he must express his belief that well-considered legislation would materially improve the position of the British trade. He did not say that with reference to alterations, but with reference to additions to the Bill. Very early in the discussion the question was raised, whether it would not be possible to extend to traders in cigars the privilege of manufacturing them in bond. He had examined that question attentively, and he had come to the conclusion that there was no mode in which such manufacture could be carried on in bond, because there was such a number of persons of small means engaged in the trade that it would be impossible to reconcile the operation with the requirements of the bonding system. Neither would it be possible to permit the manufacture of common tobacco in bond. If it was thought by any hon. Member that they ought to revert to the practice of 1840, and permit the mixture of all sorts of things with tobacco, he could not concur with him. But he did think it might be in the power of the Government to propose something better for the trade than allowing the manufacture in bond—namely, the readjustment of the present system of drawbacks, which would have the effect of opening up advantageously to the

British manufacturer the export trade. The duty of the Government was to make the measure as favourable as possible to the British trader.

MR. AYRTON said, he did not pretend to represent the manufacturers of tobacco generally; but the manufacturers of cigars of all England had met together and placed a Resolution in his hands, which they requested him to support in the House.

THE CHANCELLOR OF THE EXCHEQUER did not admit that all the manufacturers of cigars were present on that committee. The secretary of the committee, who was the principal person upon it, had no share whatever in the circulars which had been placed in the hands of hon. Members. He (the Chancellor of the Exchequer) begged to state, that, over and above the trade which was open to the British manufacturer by the Bill as it stood, he was sanguine of being able to submit to the House a proposal which would give the manufacturers of all descriptions of tobacco power to enter into the export trade. The present system of drawbacks took no cognizance of the different kinds of tobacco, and was founded on the assumption that the exporter would put as much moisture as possible into his tobacco, in order to get as large a drawback as he could; and the effect of that was, that the tobacco which was exported as ship's stores was in a very moist state. But he was prevented from entering into details, in consequence of the hon. and learned Member's Amendment standing in the way. The question which was before them now was whether the hon. Gentleman would permit them to discuss the subject. He could show, if there was an opportunity of doing so, that many of the hon. Member's statements were unfounded; for instance, the manufacture of cigars, as explained by him, was unknown to the vast majority of the manufacturers of the country. The question was not one of starving operatives at home and bloated foreigners, but simply this:—What measure of relief could be given to the consumer, and how they could at the same time put the manufacturer and trader in a good position without damage to the revenue of the country? That was the principle upon which he proposed to go into Committee, and upon which he asked the House to reject the present Motion.

MR. ROEBUCK said, the right hon. Gentleman was so emphatic and so peremptory that it almost daunted a timid person like himself. The right hon. Gentleman had referred to him.

THE CHANCELLOR OF THE EXCHEQUER:—I never made any reference to the hon. and learned Member.

MR. ROEBUCK thought he had, from the manner in which the right hon. Gentleman pointed his finger. The right hon. Gentleman, however, stated distinctly that the proposition of the hon. and learned Gentleman to refer the question to a Select Committee was an unusual and improper one, because it interfered with the conduct of the Government in a matter of fiscal arrangement. But he (Mr. Roebuck) had known the timber duties to be referred to a Select Committee, and he wanted to know why the tobacco duties should not also be referred to a Select Committee. The right hon. Gentleman's rhetoric was like the proboscis of an elephant, which could pick up a pin or lift a cannon. Bishop Berkeley had written an admirable metaphysical treatise on the question of tar-water; and so, in like manner, the right hon. Gentleman had delivered a discourse on political economy *à propos* of the making of cigars. The plain state of the case appeared to him (Mr. Roebuck) to be this:—In this town 10,000 persons were employed in making cigars, and he was told that the effect of the plan of the right hon. Gentleman would be to bring the home maker of cigars into unfair competition with the foreign maker, as the former worked with an article paying a very high duty, while the latter worked with an article which paid no duty at all; and therefore, if the duty were reduced from 9*s.* to 5*s.*, all these people would be thrown out of work. He was also told that the foreign maker of cigars took the leaf, extracted the oil from it, and thereby diminished the weight one-half. The English maker could not do that, because it would diminish the weight of the material, on which he had already paid duty. He understood many workmen in the trade had already been thrown out of work by the terror created by the right hon. Gentleman's Bill. He wished the Chancellor of the Exchequer to consider these points.

THE CHANCELLOR OF THE EXCHEQUER explained, that he did not mean to say that Select Committees had never sat on commercial duties. What he intended to state was, that he had never known an instance since the commercial legislation of 1842, when the Government on their responsibility proposed a particular plan bringing to issue the whole question, of the House refusing to entertain that plan in consequence of the interposition of a general Motion for inquiry.

Mr. LOCKE thought, that if the question had been complicated before, the right hon. Gentleman's speech only made it more complicated than ever. If the matter were submitted to a Select Committee, the House would have something to act upon. If the matter were so complicated as it now appeared to be, his hon. and learned Friend was not open to animadversion for seeking to obtain an investigation. It was an inquiry into the hop duties which led to the final settlement of the question. The right hon. Gentleman, feeling the injustice which was going to be done to the British tobacco manufacturer, said he hoped that he might some day become an exporter. He said his proposal was for the benefit of the consumer. What consumer? If he meant by that that it would benefit the great body of the people, he denied it altogether. At present a large portion of manufactured tobacco paid a duty of 500 per cent; and he contended that the working man would derive no benefit, unless it were by the reduction of the duty on cavendish and negro-head. The great bulk of tobacco was left entirely untouched. As to smuggling, it took place chiefly in cavendish and negro-head, and the other manufactured tobaccos. The smuggling of cigars was on a very small scale indeed, and he held it would not be put an end to by this measure.

Mr. T. BARING said, he had always thought that tobacco duties ought to be treated with the greatest caution in making any change, not only because of the amount of revenue which they produced, but also on account of the difficulties incidental to the manufacture of tobacco. It was said that this was the last remnant of a bad system. He begged to remind the House that hitherto they had always gone upon the principle of taking off duty on raw material before subjecting their own manufacturers to foreign competition; but here was a heavy duty which would still remain on the raw material in this country, while in other countries there was no duty at all. He confessed that he could not ascertain what was likely to be the effect of the proposed change. It might prevent smuggling, benefit the munufacturers, and lower the price to the consumer; but they had no sufficient data to guide them—nothing, in short, but the authority of the right hon. Gentleman. The right hon. Gentleman intimated that he had a scheme for enabling the manufacturers of this country to export; but he had not told them what it was. There had hardly ever been a great change of duties without the propositions having been considered in Committee, and this question had never yet been specially considered by any Committee—the proposal rested entirely on the recommendation of the Chancellor of the Exchequer; and he (Mr. Baring) did not think it ought to be adopted without a further examination of those who were specially interested.

Mr. BRADY thought there ought to be a thorough investigation of the subject before they went any further. In the interior of the county there were no bonded warehouses in which the manufacture could be carried on. Moreover, the supervision of the manufacture would involve a large expenditure. These matters required careful consideration, and he would move the adjournment of the debate.

Mr. MAGUIRE seconded the Motion. It was clear that smuggling had not increased, for during the year 1862 the revenue from this source had increased £110,000. Ireland was deeply interested in this question, for £2,000,000 of this revenue came from that country. It was the opinion of persons connected with the trade, who had much more complete information than the Chancellor of the Exchequer, that the trade were not properly protected. They state that to make a pound of snuff required a pound and a half of stalks, on which 4*s.* 9*d.* duty was paid to the Crown. [The Chancellor of the Exchequer: Oh, no!] Would the right hon. Gentleman allow the point to be investigated by a Committee, then? Let him have the matter thoroughly sifted; and if the right hon. Gentleman were shown to be right, he would gladly support the Bill. By his own speech the right hon. Gentleman had completely condemned his plan for manufacturing in bond, for in a moment of unofficial candour he called it "at best but a defective, clumsy, and costly expedient." And yet he called this unfair competition with the foreigner "free trade." Would the right hon. Gentleman consider, too, the justice of releasing the trades from the burden of the Excise regulations? It was because he believed that the right hon. Gentleman had been earwigged by some Department of the Excise or Customs which found itself without work at the present moment, and that he was groping blindly about in the dark, that he supported the Motion for adjournment.

MR. MILNER GIBSON said, he was a little astonished at the alarm felt at this proposal for cheapening in some degree the price of tobacco. It was said that the rates of duty proposed by his right hon. Friend were not what they ought to be. That was a very fit question to be discussed in a Committee of the Whole House. He had seen a whole tariff, containing hundreds of different articles, discussed in such a Committee, and no proposition made to refer any of the rates of duty to a Select Committee. A Select Committee on duties had generally been proposed by Members of that House in order to force on the Government the reduction of some duty; but this was the first time he had known an hon. Member to come forward, on a proposition by the Government for a reduction in favour of the consumer, with an Amendment to refer the question to a Select Committee. He must set the hon. Member for Huntingdon (Mr. T. Baring) right on one point, and remind him the case of the duty on malt showed that the principle to which he had referred was not the one that had been acted on in this country. The duty levied on foreign malt was in excess of that paid on the home article only to the amount barely necessary to allow for the expense of carrying on the manufacture under the Excise.

MR. T. BARING wished to explain that he had spoken of the Customs duty, and said that the duty was either taken off or reduced on the raw material before competition was allowed on the part of the foreign manufacturer.

MR. MILNER GIBSON said, that the case of refined sugar was one in point against the hon. Gentleman. The foreign refiner was allowed to compete with the English on other terms than those referred to by the hon. Member. This was a consumer's question. The consumer was now subjected to an additional charge arising from the monopoly price demanded for tobacco by the home manufacturer. He hoped the House would not consent to the proposition to refer this matter to a Select Committee.

COLONEL DUNNE supported the proposition for further inquiry, and said it was ridiculous to call this a free-trade question while there was an absolute prohibition against the agriculturist growing tobacco at home.

MR. AYRTON appealed to the Government to consent to the adjournment of the debate, in consequence of the absence of an hon. Gentleman on the opposite side of the House who took a leading part in financial questions. Another reason for adjourning the debate was, that the Chancellor of the Exchequer had entered into no explanation of the provisions of the Bill. The right hon. Gentleman had promised on a former occasion to make a statement to the House; but his speech to-night had been confined to personal allusions and other matters foreign to the merits of the Bill.

THE CHANCELLOR OF THE EXCHEQUER said, he could not consent to the adjournment of the debate on account of the absence of an hon. Member who had not so much as intimated his intention to take part in the discussion.

Motion made, and Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 71; Noes 137: Majority 66.

Question again proposed, "That the words proposed to be left out stand part of the Question."

SIR HUGH CAIRNS hoped the Government would now see the propriety of allowing the debate to be postponed till another day. There were a great many hon. Members who were anxious to express their views upon the subject. In substance the present discussion was a discussion on the second reading; and if it were to be closed now, there would be no subsequent debate until the House went into Committee. The President of the Board of Trade had made the strange assertion that the question of rates, which was the only question in dispute, ought to be discussed in Committee. It was utterly impossible for any hon. Member in Committee on the Bill to propose to increase rates which had been settled by a Committee of the Whole House.

MR. MILNER GIBSON said, it would be quite competent to discuss in Committee any rates lower than those now chargeable by law. He did not suppose there was any intention to propose higher rates.

SIR HUGH CAIRNS said, that if the question of rates could be discussed in Committee, he was at a loss to conceive why the Chancellor of the Exchequer had thought it necessary to go into Committee of the Whole House for the purpose of considering that very point.

THE CHANCELLOR OF THE EXCHEQUER had already stated that there was no necessity for going into Committee of the Whole House, and that he had printed the Resolutions merely for the convenience and information of hon. Members.

Motion made, and Question put, "That this House do now adjourn."

The House *divided:*—Ayes 70; Noes 134: Majority 64.

Question again proposed, "That the words proposed to be left out, stand part of the Question."

COLONEL DUNNE moved the adjournment of the debate.

THE CHANCELLOR OF THE EXCHEQUER would not continue an unprofitable controversy, and would yield to the proposal of the hon. and gallant Gentleman.

Debate *adjourned* till *Monday* next.

INNKEEPERS' LIABILITY (NO. 2) BILL.

Bill to define and limit the Liability of Innkeepers, *ordered* to be brought in by Mr. BUTT and Dr. BRADY.

Bill *presented*, and read 1º. [Bill 43.]

House adjourned at One o'clock,
till Monday next.

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HOUSE OF LORDS,

Monday, March 2, 1863.

MINUTES.]—*Select Committee.*—Committee of Selection on Opposed Private Bills, *nominated.*

PUBLIC BILLS.—*First Reading.*—Bills of Exchange and Notes (Metropolis) [H.C.] (No. 26).

Second Reading.—Drainage of Land (Ireland) (No. 18), and *referred* to a Select Committee; Naval Coast Volunteers Act Amendment [H.L.] (No. 19).

Committee.—Prince and Princess of Wales' Annuities (No. 24).

Report.—Prince and Princess of Wales' Annuities (No. 24).

Third Reading.—Gardens in Towns Protection [H.L.] (No. 14), and *passed.*

OPPOSED PRIVATE BILLS.—SELECT COMMITTEE.

The Lords following; viz.—L. COLVILLE of CULROSS, L. PONSONBY, L. COLCHESTER, L. STANLEY of ALDERLEY—were *appointed*, with the Chairman of Committees, a Committee to select and propose to the House the Names of the Five Lords to form a Select Committee for the Consideration of each Opposed Private Bill.

PRINCE AND PRINCESS OF WALES' ANNUITIES BILL.

Order of the Day for the House to be put into a Committee, and the Lords Summoned, read: *Moved*, That the House do now resolve itself into a Committee on the said Bill; *agreed to:* House in Committee accordingly; Bill *reported*, without Amendment; and to be read 3ª *To-morrow.*

BILLS OF EXCHANGE AND NOTES (METROPOLIS) BILL.

Brought from the Commons; read 1ª; to be *printed;* and to be read 2ª *To-morrow;* and Standing Orders Nos. 37 and 38 to be considered *To-morrow*, in order to their being dispensed with; and the LORDS SUMMONED: (The Lord President.) (No. 26.)

DRAINAGE OF LAND (IRELAND) BLIL.
[No. 18.]

SECOND READING. REFERRED TO SELECT COMMITTEE.

VISCOUNT LIFFORD, in moving the second reading of the Bill, said, that it came up to their Lordships' House under circumstances which must be regarded as satisfactory, inasmuch as it had passed the other House with the general approval of the Irish Members. This formed the eleventh Bill on this subject presented to the British Parliament during Her present Majesty's reign. The fact was, that no part of the United Kingdom required draining so much as Ireland. Centuries age thousands of acres of some of the finest woods in Europe were, by want of draining, arising from insecurity of life and property gradually sunk in the peat mosses, and large tracts of arable land in Ireland, were rendered comparatively unprofitable from the want of an effective system of drainage. Hitherto those works had been generally done by the Government. The present measure, however, recognised the self-reliant principle, which, he thought, was best calculated to confer upon the country the advantages sought for. The provisions of the Bill were somewhat similar to those of the English Act, the 24 & 25 *Vict.*, c. 133. The initiation of its operation was given to the Irish Board of Works. Upon the application of a proportion of the proprietors of any land requiring a system of drainage, the Commissioners of the Board of Public Works were to send an Inspector to the district indicated, and upon his report the Commissioners may, if they think proper, and if two-thirds of the proprietors consent, constitute the district a drainage district. The management of the works was then intrusted to an incorporate Drainage Board, the members of which were to be elected by the proprietors of the district. The 20th and following clauses defined the general powers of these Drainage Boards. The 36th and 37th sections empower the Drainage Boards to borrow money on debenture. When the works were completed, the Drainage Board were to make an award, by which the proportions of the expenses were to be charged on the lands within the district. The Board were also empowered to determine the amount of increased rent to be paid in respect of lands improved; and were to hold annual meetings, and fix the amount to be raised for maintenance and repairs for the ensuing year. The Bill also contains provisions, giving power to neighbouring owners to procure outfalls. Such being the nature of the measure, he trusted their Lordships would assent to its passing as speedily as possible, because in the present distressed state of Ireland, occasioned by the occurrence of three consecutive bad harvests, the Bill would confer a great boon upon the country, by the employment it would open up to the labouring portion of the population. The distress that existed in Ireland had been borne with remarkable patience. This Bill would give great facilities for the relief of that distress, and he trusted their Lordships would pass it without delay.

Moved, That the Bill be now read 2ª.

The Earl of LUCAN said, he was quite willing to allow the Bill to be read a second time, if the noble Lord would let it be referred to a Select Committee. The reference to a Select Committee need not prevent its passing before Easter.

Viscount LIFFORD said, that he was anxious the Bill should be passed without unnecessary delay, and therefore he was unwilling to refer it to a Select Committee.

The Earl of CORK said, it was a Bill of eighty-five clauses, and the provisions were of such a nature that they could better be discussed in a Select Committee. It had been hurried up to this House, and required the consideration of owners of land in Ireland. He hoped his noble Friend would not persist in his objection to the course proposed by the noble Earl.

The Earl of BELMORE joined in the appeal to allow the Bill to go to a Select Committee.

Earl GRANVILLE said, it had been generally understood by the Irish Peers that the Bill would be referred to a Select Committee.

Motion *agreed to*

Bill read 2ª accordingly; and *referred* to a Select Committee: The Lords following were named of the Committee:—

E. Derby, E. Essex, E. Lucan, E. Belmore, V. Lifford, V. Hawarden, L. Boyle, L. Ponsonby, L. Digby, L. Wodehouse, L. Crofton, L. Somerhill, L. Dartrey, and L. Lyveden.

NAVAL COAST VOLUNTEERS ACT AMENDMENT BILL [H.L.]—(No. 19.)

SECOND READING.

The Duke of SOMERSET, in moving the second reading of this Bill, said, that they were in a better position with regard to reserves for the navy than at any former period. On the first of February, 1863, the number of Royal Naval Reserve men was 14,000; of Coast Volunteers, 8,000; of Coastguard on shore, 3,000; and of Coastguard in ships, 2,000. The total number of men available as a reserve was 28,800; and as the number was increasing week by week, they might expect, by the end of the year, to have 30,000 men available as reserve seamen. The only drawback to this great scheme of a Reserve was the provision originally introduced in order to induce the men to join the Coast Volunteers, that the Coast Volunteers were not to be taken more than 300 miles from the shores of the country. The arrangement was not then objected to; but now, it being considered that some inconvenience might arise in case of emergency, the Bill proposed to abolish that limit with regard to men who should join the force hereafter. For instance, vessels might be manned principally with ordinary seamen, or men of the Royal Naval Reserve, but might have a few Coast Volunteers; and if those vessels were in pursuit of a privateer, or required to proceed even a few miles beyond the prescribed limit for the protection of trade, or for any purpose, the service must be given up, unless they chose to break faith with the men. It was of the utmost importance that faith should be kept with the men, and that the terms on which they entered should not be violated. It was therefore proposed to reserve to the present Coast Volunteers the limit on which they had taken service, but not to enter any more with that limitation. This alteration might possibly lead to some diminution of the Coast Volunteer force, but, seeing how the Royal Naval Volunteer force was increasing, the advantage of the absence of the restriction as to distance would more than compensate for the disadvantage of that diminution. The Bill contained only one clause. He had now explained the principle, and he asked their Lordships to read it a second time.

Moved, That the Bill be now read 2ª.

The Earl of HARDWICKE said, that the original intention of the Act was to enable fishermen and seafaring persons on the coast to join the reserve force for the defence of the country, and he would suggest that it would be better without any definite law, that the Admiralty should let it be understood that men settled with their wives and families would not be taken out of the Channel except on a great emergency. There were many men who would be willing to serve in the Channel who would not like to be despatched on foreign service. The Bill itself was a very good one; but he was afraid the Bill would have the effect of inducing many men who were at present members of the Reserve to withdraw; but he hoped they would be fairly dealt with by the Admiralty. He might take that opportunity of making a few remarks upon the state of the navy. When the Royal Commission sat to consider the Manning of the Navy, one of the most important branches of their inquiry related to the question of what the peace establishment should be, bearing in mind the numbers of the volunteer force. According to the best information, it was deemed that it would be sufficient for the protection of our coasts and for other purposes if they had 56,000 seamen and marines, together with a reserve of 30,000 Volunteers available on an emergency—as, for instance, in case of war suddenly breaking out with France, which was the only naval Power of serious importance. Looking at the question as a naval officer merely, he should be glad to see a great navy; but looking at it not only as a naval officer, but as a Member of Parliament, and having regard to the finances of the country, he was surprised that the Government should have proposed in their Estimates so large a naval force for the present year as 76,000 men. In 1854 they had a naval force of 61,400 men; and in 1855, the year of the Crimean war, they had a force of 64,432 men. But now, in addition to the 76,000 men proposed in the Estimates, they had a powerful naval reserve, amounting to nearly 30,000 men. If this country did not stand in need of such a large naval force, they had no right to put their hands in the pockets of the people to such an extent. He was not in the secrets of the Cabinet, and the only information of which he was possessed was derived from the newspapers; but he was at a loss to understand what cause there was to keep up such a large naval force in time of peace. He believed that we had a larger naval force now than since the great war. Did the Government think that the United States were in a condition to bring on a European war? He confessed that he did not see any cause for alarm in that quarter, for he thought that that country had been already sufficiently weakened by the civil contest in which it was engaged to be dangerous to the peace of Europe; and though there were some threatening elements in the Polish difficulty, that question had not arisen when the Estimates were framed. He hoped the noble Duke would state to their Lordships the reasons why it was thought necessary to keep up such an immense naval force.

THE DUKE OF SOMERSET: My Lords, I did not expect, on the second reading of this Volunteer Bill, to be called on to go into the whole question of the naval provision of the year; but I must make a few observations in answer to the speech of the noble Earl. I agree with him that we ought not to make use of the Coast Volunteers for the general purpose of manning the navy. They are only entered for one year, and in the event of a war of course it would be impossible so to make use of them. The 30,000 men of the Reserve are never to be used except on a great emergency, when this country itself is in danger. Of course the Government would be slow to issue the proclamation, unless circumstances had occurred which were of such vast importance as to make it absolutely necessary that they should adopt a measure which would disturb the whole mercantile marine of the country. In regard to the manning of the fleet, the noble Earl seems to have forgotton that portion of the Report of the Commission which recommends that a force of 20,000 marines shall be kept up. It is always inexpedient to keep up a large force of marines unless you can send a considerable proportion to sea; and I have thought it right not to raise the force above the number of 18,000. The Commission recommended that we should always have a number of men in all our seaports, to be ready for any ships which were put into commission. Your Lordships may remember that in 1859, though there was a bounty of £10 offered, ships were kept many weeks in port waiting for men; but now I am happy to say that whenever a ship is put into commission, in a day or two I hear that she has got all her men. We get the best men, too, for we now reject all men who have not good characters, or who may be physically unfit for the service. We have got, therefore, not only a large force, but a good force. The noble Earl must deduct from the 76,000 men the 18,000 marines, the 9,000 boys, and also those men who are employed in the protection of the revenue, amounting to several thousands, who are now reckoned part of the navy. Though the state of our foreign relations is satisfactory, yet there are disturbances in different parts of the world which make it unadvisable largely to reduce our naval force. I would point to the far East—to China and Japan—and I would say, that looking to the disturbances in which we have been involved in those distant parts of the world, and the expenditure which we have been forced to incur, it would be unadvisable suddenly and rapidly to reduce our naval force there. It would be bad policy, and it might lead to fresh disturbance and a new outbreak, and might necessitate another naval expedition to vindicate the honour of our flag. Again, a large force is needed in consequence of the disturbances in North America. Our trade is continually liable to alarm and interruption, and it looks to the Admiralty for protection. Every one of our island possessions in that part of the world asks for the presence of a ship to see that they are protected from vessels of one side or the other, which might otherwise not be very particular in respecting the Queen's proclamation of neutrality. Governors of colonies are continually asking for vessels; and Admiral Milne, the commander on the station, a man of great prudence and judgment, and who, having been at the Admiralty, knows the importance of economy, has frequently written to me to say that it would not be for the public service to reduce our force on that station. In the Mediterranean we have been able to make a large reduction in consequence of the state of our relations with the Powers of Europe. I fully agree with the noble Earl in the importance of economy in this branch of the public service, and I carefully considered in what departments reductions might judiciously and safely be carried out. I could not, consistently with my duty, recommend to the Government a reduction in the number of men; but in the Department of Stores, I found that we had a very large supply on hand, and that the consumption was comparatively small. In that Department, therefore, we have been able to make a reduction; but still, at the end of the year, the navy will be in a better condition as regards timber and many other stores than it has been at any time within the last twenty years.

Motion, *agreed to.*

Bill read 2^a, and *committed* to a Committee of the Whole House *To-morrow.*

House adjourned at Six o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, March 2, 1863.

Minutes.]—Select Committees—Inland Revenue and Customs Departments, *nominated;* Navy (Promotion and Retirement), *nominated.*

Public Bills—*First Reading*—Admiralty Court (Ireland) [Bill 45]; Assurances Registration (Ireland) [Bill 46].

Committees—Union Relief Aid Act (1862) Continuance [Bill 17]; Corrupt Practices at Elections [Bill 8]; Post Office Savings Banks [Bill 22].

Report—Union Relief Aid Act (1862) Continuance [Bill 44].

Considered as amended—Births and Deaths Registration (Ireland) [Bill 9].

PRIZE MONEY (CHINA).

QUESTION.

Colonel W. STUART said, he would beg to ask the Secretary of State for War, Whether any Prize Money is coming to the Troops engaged in the China Expedition of 1860, from the Sale of Guns, &c., captured from the Enemy; and, if so, whether it is likely soon to be distributed?

Sir GEORGE LEWIS, in reply, said, that the commander-in-chief on the spot had determined the question practically by collecting the booty, selling it by auction, and dividing the proceeds among the troops. That course was not strictly in accordance with the regulations, but it was subsequently sanctioned and approved by the Secretary of State. There were some guns that were not included in the sale, and which still remained, but it was not intended to make any fresh distribution of prize money.

STATE OF OUDE.—QUESTION.

Mr. TORRENS said, he would beg to ask the Secretary of State for India, What steps he proposes to adopt for the adjustment of the claims of the several parties on the late state of Oude?

Sir CHARLES WOOD said, in reply, that, in pursuance of a promise made by the noble Lord who preceded him in his office, an inquiry was ordered to take place in India. Some of the parties objected that they had received no notice of the inquiry, and he had therefore directed the Government of India to issue another Commission, giving notice to the parties so as to enable them to represent their case before the Commission.

VAGRANCY IN SCOTLAND.

QUESTION.

MR. CARNEGIE said, he wished to ask the Lord Advocate, If it is his intention to introduce a measure on the subject of Vagrancy in Scotland?

THE LORD ADVOCATE, in reply, said, the difficulty of dealing with the subject had been found to be so great that he had relinquished all intention to introduce any measure for the present.

PRISON MINISTERS BILL.

QUESTION.

MR. KINNAIRD said, he would beg to ask the Secretary of State for the Home Department, Whether, in order to enable the Magistrates about to assemble in Quarter Sessions, and others interested in the management of Prisons, to consider the provisions of the Prison Ministers Bill, he will postpone the second reading till after Easter?

SIR GEORGE GREY, in reply, said, he had had no representation made to him by English Magistrates who were in the habit of attending Quarter Sessions, and therefore he was unwilling to accede to the request. He would, however, postpone the Bill until next Thursday fortnight.

THE SEWAGE COMMISSION.—QUESTION.

MR. KER SEYMER said, he wished to ask the hon. Member for Leitrim, On what day he intends to call the attention of the House to the Reports of the Sewage Commission?

MR. BRADY said, he would take the earliest opportunity in his power of bringing this important question before the House, and he hoped that in the end it would be taken up by the Government.

EQUIPMENT OF VESSELS FOR THE CONFEDERATE STATES. — QUESTION.

MR. CAIRD said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether information has been laid before the Government regarding the preparation in this Country of any ships intended, like the *Alabama*, for the service of the Confederate States; and, if so, what course they intend to adopt in regard to such ships?

MR. LAYARD: Sir, the attention of Her Majesty's Government has been called to more than one vessel which was supposed to be fitting out for the service of the Confederate States, as the *Alabama* was fitted out; but up to this moment no evidence has been furnished which would enable Her Majesty's Government to act according to law. I can assure my hon. Friend that strict orders have been given that any vessels suspected of being fitted out in that manner are to be closely watched.

EXTRADITION ORDINANCE IN MALTA.

QUESTION.

SIR GEORGE BOWYER said, he wished to ask the Under Secretary of State for the Colonies, When the Papers regarding the Extradition Ordinance, which has lately been enacted, or which has passed Council in Malta, will be laid upon the table?

MR. CHICHESTER FORTESCUE, in answer, said, that the Extradition Ordinance which had just passed the Council in Malta, had now reached this country. The Papers would be immediately laid on the table.

CONVICT PRISONS REPORT.

QUESTION.

MR. HENRY SEYMOUR said, he would beg to ask the Secretary of State for the Home Department, Why the Report on Convict Prisons, which has been privately distributed among a few Members, has not been given to every Member of the House?

SIR GEORGE GREY said, in reply, that he was not aware that the Report had been given to any one. He would, however, make inquiry on the subject.

UNION RELIEF AID ACT (1862) CONTINUANCE BILL—[BILL 17.]

COMMITTEE.

Order for Committee read.

House in Committee.

(In the Committee.)

Clause 1 (Extension of Powers of Union Relief Aid Act of 1862).

Mr. C. P. VILLIERS said, he wished to move the insertion of words to limit the duration of the Bill to Midsummer day next.

Clause amended, and *agreed to.*

Clause 2 (Limit of time for issuing Orders).

Mr. C. P. VILLIERS proposed, to leave out from "day of" to the end of the clause, and to insert "September next."

Clause, as amended, *agreed to.*

Clause 3 (Construction of the Act) *agreed to.*

Mr. C. P. VILLIERS said, he would then move to insert the following clause after Clause 1:—

(Repayment of Sums borrowed.)

"Any sum borrowed under the authority of this Act may be repaid by equal annual instalments, not exceeding fourteen."

Motion *agreed to.*

Clause *added* to the Bill.

Mr. C. P. VILLIERS said, he had then to move the insertion of the following clause:—

(Interpretation.)

"The word 'expenditure' in section Five of the said Act shall be construed to include the amount paid under any order of contribution issued by the Poor Law Board, pursuant to the said Act or this Act."

Colonel WILSON PATTEN said, he wished to suggest whether his right hon. Friend would not authorize Boards of Guardians to borrow from the Exchequer Loan Commissioners; and if he would, whether it would not be desirable to provide for that power in the present clause. He had a natural reluctance that the county of Lancaster should be the first to ask for such a power, but, on looking back, he found very memorable instances in which power to borrow from the Exchequer Loan Commissioners had been allowed under precisely similar circumstances. In the Report of a Committee which sat in 1810, there was a reference to a power of borrowing from those commissioners in 1793, when certain London merchants in distressed circumstances were thus assisted. A similar case occurred in 1825, and, he believed, also in 1847, to relieve distress in London and other parts of the country. He would therefore suggest that the guardians of Lancashire should be authorized to raise money from the Commissioners. Banks in Manchester had been applied to, but they stated that it was not in their line of business to lend money on the terms proposed, and private persons were equally reluctant to lend money to be paid in annual instalments. The consequence was, that the guardians were obliged to pay a much larger rate per cent than they would have to do under other circumstances, whereas they might get money from the Exchequer Loan Commissioners at 3½ per cent.

Mr. C. P. VILLIERS said, his hon. Friend had pursued an unusual course, and was raising a very important question. The clause which had been moved had no reference to borrowing from the State or the Exchequer Loan Commissioners. It referred to the Act which he was seeking to continue, and in which it was provided that the guardians might borrow money on the security of the rates—which was altogether a transaction of their own—and that they should have fourteen years for repayment instead of seven, as at first intended. He would ask his hon. Friend to wait until the hon. Member for Oldham (Mr. Hibbert), who had given notice of a similar proposition, should bring it forward.

Colonel WILSON PATTEN said, he had been under the impression that the hon. Member for Oldham had withdrawn his proposal.

Clause *agreed to,* and *added* to the Bill.

Mr. E. C. EGERTON moved the insertion of a clause providing for the Apportionment of contribution for Unions in two or more counties according to the annual rateable value of so much of the Union as shall be situate within such counties respectively.

Motion *agreed to.*

Clause *added* to the Bill.

Mr. BAZLEY said, he wished to move the insertion of a clause empowering the overseers of townships where the expenditure for the relief of the poor should have exceeded the rate of 3*s.* in the pound to borrow money from time to time, with the consent of the Poor Law Board, as they shall think necessary to meet such excess.

Motion *agreed to.*

Clause *added* to the Bill.

The CHAIRMAN said, that the Motion in the name of the hon. Member for Oldham (Mr. Hibbert), which stood next on the paper, to insert a clause—"Power to Public Works Loan Commissioners to advance Money to Unions"—could not be brought forward without the consent of the Crown, inasmuch as it referred to the appropriation of public money.

Mr. HIBBERT said, that the clause of which he had given notice, empowering the Public Works Loan Commissioners to advance money to unions, was one which would, in his opinion, be productive of considerable advantage without inflicting a loss upon any parties. That clause was as follows:—

> "The Public Works Loan Commissioners, as defined by the Act of the 19th year of the reign of Her present Majesty, chapter 17, may, out of the Funds for the time being at their disposal, advance to any Union such sum or sums of money as such Union may from time to time be empowered to borrow under the authority of this Act, subject to the following regulations:—1. No Union shall borrow any money from the said Commissioners under this Act until the order of the Poor Law Board has been issued for the purpose. 2. The interest payable in respect thereof shall be at the rate of £3 5*s*. per annum on each hundred pounds. 3. The period for repayment of any sum shall not exceed fourteen years."

It was not an entirely new principle that the Government should lend money for the relief of the poor, as by the Act of 1817, when the Public Loan Commissioners were first appointed, they were empowered to advance money, not only for drainage, piers, harbours, and other public works, but also for the employment of the poor in parishes of Great Britain. Though it might be true to a certain extent that the Boards up to the present time had experienced little or no difficulty in procuring money under the Act of last Session, it should be recollected that they had required less money during the last year than they would need in the next twelvemonths, in consequence of the large subscriptions collected to relieve the distress in Lancashire. If the voluntary subscriptions ceased, and the entire relief of the distress were thrown on the unions, it would be with the greatest difficulty that they could tide over the crisis. The pressure in some of the unions had already been very severe, for he found that in the Union of Glossop the cost of the relief during the first week of February was at the rate of 9*s*. 3*d*. in the pound from the union, and 14*s*. 8*d*. from the relief committee, equal to a total annual charge of £1 3*s*. 11*d*. in the pound upon the rateable value; in Ashton the charge was at the rate of 6*s*. from the union, and 16*s*. 4*d*. from the relief committee, equal to a total of £1 2*s*. 4*d*.; and in Preston it was at the rate of 5*s*. 5*d*. from the union and 6*s*. 3*d*. from the relief committee, equal to a total of 11*s*. 8*d*. It also appeared that there were at present 470,000 persons in the receipt of relief, at a weekly cost of £39,000; and those figures showed that the greatest difficulty must henceforth exist in meeting the emergency. He believed, that if the Government did not give the slight relief he now asked for, the unions would be obliged to come to Parliament before the end of the Session and demand a national grant. He therefore trusted that the President of the Poor Law Board would take into favourable consideration the present proposition.

The CHAIRMAN said, he had to remind the hon. Member, that as the clause could not be put, there was no question before the Committee. It proposed to give powers to the Public Works Loan Commissioners to appropriate public money in a manner not authorized by the existing law. If that were done, it must be done by an Act of Parliament introduced with the consent of the Crown.

Lord EDWARD HOWARD said, he would move that the Chairman report progress, in order that he might have an opportunity of expressing his approval of the proposal contained in the clause. He believed that such a course would afford a very proper mode of employing the public money, and he hoped the Chancellor of the Exchequer, as the guardian of the public purse, would introduce a Bill for the purpose of giving the Commissioners the proposed power. Money had been advanced by the Government to promote agricultural improvements, railways, and other things, and he thought that a loan might legitimately be made to the unions. The fact was that the right hon. Gentleman's (Mr. Villiers') concession of power to extend the loan over fourteen years made matters worse instead of better for the unions, because they would have to pay interest for a longer period. He moved that the Chairman report progress.

The CHAIRMAN said, it was not regular to move that progress be reported merely for the purpose of raising a discussion on a matter with which it was not competent for the Committee to deal.

Mr. J. B. SMITH said, he only wished to state, that if the subject could have been properly discussed, he would have proposed that the powers of the Commissioners should be similar to those which they exercised in the case of advances for the improvement of lands, making the principal and interest of the loans repayable at 6½ per cent, for a period of twenty-two years. The object he had had in view was to afford Her Majesty's Government an opportunity of more fully considering the matter before the Committee. He had been informed that great difficulty was experienced in the manufacturing districts in raising money for the relief of the poor, and he had no doubt that that difficulty would every day increase. The matter therefore required the serious consideration of the House itself. Why should not the Government assist the manufacturing districts in the present emergency by enabling them to borrow the money which might be considered requisite on the lowest possible terms? He hoped the matter would be reconsidered by the Government, especially as it could be done without incurring any loss.

MR. C. P. VILLIERS said, he did not desire to prolong a discussion which had been pronounced irregular, but, at the same time, he was unwilling that the Committee should suppose that this matter had been overlooked by the Government. The effect of the Amendment he had introduced was to render the prolongation of the period of any loan optional, and not compulsory. The hon. Member for Oldham appeared to think that the Exchequer Loan Commissioners had command of an unlimited sum to be applied to any object for which a grant might be made; but that was not the case. It would be seen by the Act of *Geo.* IV., the powers of which had been from time to time renewed, that a specific sum was voted to the Commissioners for a specific purpose. No power was given to the Commissioners to advance money for the purpose for which it was desired by the hon. Member. If hon. Members referred to the Act, they would find that the particular works to which money was to be devoted were specified as works of utility, and it was to be granted according to the amount which might be in hand. And even with respect to advances made in connection with the poor, the nature of the work required to be done by the poor was always distinctly defined. The proposal of the hon. Member for Oldham was, that there should be a grant for the maintenance of the poor or for defraying the current expenditure for their relief. Now, a grant for such a purpose had never been made, and before such a principle were sanctioned, he thought it ought to receive the serious consideration of the House. If any grant were to be made, the unions requiring it must state a definite sum; but no specific sum had been mentioned. He was not going into the question whether or not it was sound policy for the State to make advances in order to assist the manufacturing districts. He did not deny that a time might come when advances would be necessary, but no precedent existed, and up to the present moment the Government had seen no reason to justify the step suggested by the hon. Member for Oldham. They had not heard that the guardians were unable to obtain money, that it was impossible to collect the rates, or that the funds which had been provided had been exhausted. There was evidence, indeed, of an opposite character; but, at the same time, whenever any hon. Member should think it his duty to ask for a Vote in aid of the distressed districts, the whole matter would be deliberately considered by the Government.

MR. BAINES said, it seemed to him that it would be altogether unwarrantable for the Committee at that time to make any grant of public money for the relief of the distress in the cotton manufacturing districts, and he believed that the Members for Lancashire and Cheshire did not wish for a grant of that nature. All the Members for those counties with whom he had conversed repudiated the idea. What they wanted was, not a Vote of money, but such facilities as Government could afford through agencies of which it had the command, to enable them to obtain sums which they would borrow upon their own security, which they would repay to the last farthing, but which it was most important they should procure on the lowest possible terms. The country was bound to meet the distressed districts half-way, to show that it respected in the highest degree the manner in which they had conducted themselves, and that it felt for the heavy and unprecedented calamity to which they were subjected. He thought the Government might easily do that which the hon. Member for Oldham had asked them to do. The case was one of peculiar and extreme distress, affecting the largest branch of our manufacturing industry, and involving a most important part of the community. One-fourth of the entire population of the afflicted unions was in the receipt of relief, either from the parochial rates or from the relief committees. His hon. Friend the Member for Rochdale (Mr. Cobden) stated lately that the loss was from £11,000,000 to £12,000,000 annually, but he (Mr. Baines) believed that the loss of wages alone was £9,000,000 a year; and if they added to that the loss of all profits on the part of the millowners, and the loss of rents on property, the loss would amount to nearly £20,000,000 a year. There was every probability that the distress would exist for some time longer, but he firmly believed that prosperity would eventually be restored to that manufacture. Cotton could be grown in a great portion of the world, extending over 60 degrees of latitude; and though some time was required to cultivate a sufficient quantity, he believed that the required quantity would be produced, and that again the machinery of Lancashire and Cheshire would be set going. Inasmuch, then, as the distress was peculiar and extreme, as it would exist but for a limited period, and as there was a certainty that there would be the ability to repay the amount borrowed, it seemed to him that the Government were called upon to do everything they could to provide facilities for obtaining the desired loans.

Colonel WILSON PATTEN said, he was surprised that the right hon. Gentleman the President of the Poor Law Board should have read him a lecture upon the impropriety of introducing the subject of a loan before the hon. Member for Oldham had brought forward his clause. The right hon. Gentleman must have done so with a full knowledge of the fact that the clause in question could not be discussed at all.

Mr. C. P. VILLIERS said, he could assure the hon. and gallant Gentleman that he was not aware that the clause could not be considered until the circumstance was pointed out by the Chairman.

Colonel WILSON PATTEN said, he should however maintain that the observations he had made were strictly in order, inasmuch as he merely suggested to the Government to consider whether they could not give further facilities to the manufacturing districts by enabling the Exchequer Loan Commissioners to lend them money. He had in his pocket the latest report of Mr. Farnall, from which it appeared that in Lancashire at that moment, out of a population of 1,900,000 souls, there were 23 per cent receiving relief of one kind or another. In the town of Preston there were 33 per cent in the same condition. Under such circumstances the representatives of the distressed districts were justified in taking every opportunity to impress upon the Government the necessity of providing against any increase in the existing enormous amount of distress. The right hon. President of the Poor Law Board was wrong in stating that there was no precedent for the proposition of the hon. Member for Oldham. He had already cited more than one instance in which advances were made to the merchants of London. Another reason why the distressed unions should be allowed to borrow money from the Exchequer Loan Commissioners was, that the granting of such a power would remove many objections which were entertained to the Bill as it stood. Great dissatisfaction existed in the manufacturing districts with the principle on which the rate in aid was carried out, and which he believed was not, as had been stated by the President of the Poor Law Board, in accordance with the statute of Elizabeth. That statute said that when one union could not support its own poor, it should go upon the adjoining union; but in the present case the President of the Poor Law Board had defined the inability of any union to support its poor to be a rate of 3*s.* in the pound. The expenditure of such a rate enabled it to go on another union, and then the inability of the union was defined by a rate of 5*s.* in the pound, which extended the liability to the county. This was an entirely different law altogether from that of Elizabeth; and tenants complained that they should be obliged to contribute under circumstances which they could not contemplate so as to enter into arrangements with their landlords. He would suggest that the distressed unions should have the power of borrowing money at a less percentage, and repayable over a greater number of years; and then, if his right hon. Friend would consent to it, he would recommend that the limit at which the distressed unions should come upon the neighbouring unions should be raised from 5*s.* to 6*s.* But he would impress on the Chancellor of the Exchequer the expediency of giving greater facilities to the unions for borrowing money, so as to relieve other unions as far as possible from the burden of a rate in aid, which they believed to be thoroughly unjust.

Mr. HUMBERSTON said, he should

maintain that there was no new principle in making advances for the support of the poor. The 43 *Elizabeth* authorized the levying of rates, not only for the relief of the poor, but for setting them to work. Nothing could be more irksome than the compulsory idleness to which thousands were now consigned in the manufacturing districts; and it would be a most legitimate course for the House to authorize the Government to grant loans to Boards of Guardians, who had ample security to offer, with a view to check this evil. There was a strong objection to the application of the rate-in-aid principle, the money obtained by which was found to be too easily obtained, and might be recklessly squandered. Although, indeed, there was no reluctance to grant a rate in aid when all other means had failed, yet it was felt that it ought to be kept as a last resource. If the Government would give the unions sufficient power and facilities for borrowing, many of them would be able to support and set to work their own poor, without calling for rates in aid from other places. The gross annual rateable value of the property in the Union of Ashton-under-Lyne exceeded £300,000, and surely the guardians of that union might raise at least £100,000 if necessary by loan. Up to the 31st of January last, no less a sum than £70,000 had been voluntarily advanced from different funds to the Union of Ashton-under-Lyne. Surely, then, a union having had that assistance, and possessing such large means of its own at command, ought to be called upon to exercise its power of borrowing money to such an extent as the Poor Law Board might deem just, before it could claim the benefit of a rate in aid.

LORD GEORGE CAVENDISH said, he would add his voice to that of other Gentlemen who had urged the Government to take into their serious consideration the propriety of granting money through the Loan Commissioners, as being the fairest mode of meeting the present great emergency. By the time the Bill expired he was sure it would be found impossible to re-enact the rate in aid, so extremely unjust was it in its operation.

MR. DODSON said, that the difference between the statute of Elizabeth and the measure under consideration, was, that the statute of Elizabeth left it to the discretion of the local justices to say when a parish should be aided by its neighbours, while the Bill fixed the limits, and in his opinion fixed the limit at a low point for wealthy Lancashire. The hon. Member for Leeds (Mr. Baines) was sanguine that prosperity would shortly be restored to the cotton districts—that the weavers would return to their looms, and that everything would return to its former state. Well, he only hoped that that might be so, but it was certainly no argument for doing what had been proposed by hon. Members. He might remark, too, that the precedents quoted for granting loans of the public money for this purpose were all drawn from the evil times, before the passing of the new Poor Law, and he thought the House ought to hesitate before it followed them on this occasion. If, as stated by the hon. Member for Leeds, the distress was to be merely transitory, there seemed to be less reason for calling on the Public Exchequer. The difficulty was not so much the largeness of the demand made for the support of the poor, as the suddenness with which the rates had increased. There was a manufacturing town in Leicestershire where the rates had for many years been 5*s.* in the pound, and where they were now 8*s.*; but the Bill did not apply to that county. If it could maintain its own poor, there was no reason why the manufacturing parishes of Lancashire, when things had settled down, should not likewise be able to do the same. If, however, rates were to be permanently increased in Lancashire, there must be a proportionate alteration in the amount of rent received by the landlords; and any increase of the facilities for borrowing would be merely a staving-off of this inevitable arrangement. As the House would have another opportunity of considering the question before the end of the Session, the Government, he thought, were not called on to commit themselves at that time to the principle of loans of public monies.

MR. BAINES: I did not say that the distress would be of brief continuance; on the contrary, I said that it would have a considerable continuance, but that ultimately a return to prosperity was certain.

MR. HENLEY said, he thought that before the Government asked the Committee to come to any decision, they ought to put before it in a plain and definite shape how much the counties in question had actually raised. Up to that time no such information had been given. The expenditure for a week, or for a given number of weeks, had been multiplied to show what the yearly amount would be at a similar rate; but what the Committee wanted was an accurate statement showing how much had been actually raised within the year, and then it could be seen what ground there was for making such an unusual application. The hon. Member for Sussex (Mr. Dodson) thought it very odd that people should dislike a rate in aid. Most persons objected to pay money, and Lancashire had shown herself quite as sensitive on that point as any other part of the country with which he was acquainted. It was very fortunate, he thought, that a limit had been fixed, and that it had not been necessary to determine by an appeal to the Courts what constituted inability to pay. He did not say whether in fixing that limit the proper amount had been adopted; but he remembered that when the debate took place the Members for Lancashire were by no means anxious to have the limit fixed too high. The hon. Member for Leeds had said that it was only a case of persons asking for facilities to borrow money upon property affording ample security. That did not correctly represent the facts. The unions wanted to borrow upon Government security at a less rate of interest than they could obtain it themselves in the open market. Well, the question was whether they could make such a case as would justify the Government in giving their security, and the basis of such a case was the amount already raised stated in figures, and not mere estimates in conjecture. The information for which he had asked was therefore indispensable. A 1*s.* rate in Lancashire would produce about £350,000, while at that time it was quite impossible to give an opinion how many shillings in the pound had been raised. The proposition was one of an unusual, and, if not maturely considered, possibly of a dangerous character, for nothing gave greater encouragement to lavish expenditure than a facility of borrowing at low rates. No one could prophesy how long the present state of things would last. It was important, therefore, to ascertain whether it was intended, whatever the duration of the crisis, to keep these people in idleness. A great temptation was held out to those who might want to employ these people again—he did not say they would yield to that temptation; but the Committee ought to bear in mind that to keep the working classes idle for a lengthened period was to incur great risk of demoralization, and that, once demoralized, the bad effects did not pass away in a single generation.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow*, and to be *printed.* [Bill 44.]

TOBACCO DUTIES BILL—[Bill 21.]

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23d February], "That the Bill be now read a second time;" and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the expediency of altering the Laws for raising a Revenue on Tobacco,"—(*Mr. Ayrton*),

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Colonel DUNNE said, he thought it only respectful to the House, that having moved the adjournment, he should state in a few words why he took part in the proceedings. He should only refer to that part of the question which concerned his own country. He received daily remonstrances against the course which the Government were taking in this Bill. His constituents were in no way affected, but the subject created great interest in Ireland, and it was the duty of every Irish Member to press on the Government an inquiry into the allegations made by the tobacco manufacturers. The question had not, as had been asserted, any reference whatever to free trade; the prohibition of the culture of the tobacco plant in Ireland was decisive upon that point. There was not merely a differential duty on the cultivation of this plant, but an absolute prohibition to the Irishman, as indeed in this country. An hon. Gentleman, who seemed better acquainted with the statistics of the antipodes than of Ireland, had asserted that Ireland could not grow tobacco. If so, the prohibition was useless; but the reverse was the fact, for several years since it had been grown so successfully that the Government passed an Act to prohibit its growth and to purchase the crop at a sum of £300,000. It was absurd, therefore, to talk of free trade when actual prohibition was given to protect the foreigners against the home growers. He believed, from the statements which had been made to him, that the Bill would seriously affect the trade of Ireland. Irish snuff was made from the stalks of tobacco. The manufacturer had to pay for these stalks 1*s.* per pound; and as it required a pound and a half of them to make one pound of snuff, the cost to the manufacturer was 1*s.* 6*d.* Add to that 2*d.*, the cost of the manufacture, and 3*s.* 2*d.* for duty, and the cost was 4*s.* 10*d.* Now, in foreign countries the stalks were of no value whatever, and therefore there was a difference of the value of the stalks to the English manufacturer in favour of the foreigner. The consequence was, that the measure, instead of being a measure of free trade, was a measure of protection to the foreign manufacturer against the Irish. The consumer would not be benefited, for the foreign manufacturer would raise the price, and they would find that their home trade would be transferred to the foreigner, as they had found in many other cases. And so with regard to roll tobacco, which was the sort principally smoked in Ireland. In Ireland they prepared this rolled tobacco, as well as a manufactured tobacco, made up with molasses, rum, and other materials, requiring some manipulation; while in England they smoked a tobacco called bird's-eye, with others which, unless adulterated, required no further manufacture than the cutting of the leaf. The proposal to admit cavendish on the terms of the Bill would drive our article out of the trade in Ireland, and transfer the trade to the foreigner, without any corresponding advantage to the consumer, for the price would be raised as the result of the monopoly. The Chancellor of the Exchequer talked of giving the home manufacturer a boon by providing that he might manufacture cavendish tobacco in bond; but the many arrangements made for fiscal purposes prevented the Irish tradesman from manufacturing in bond at all. Besides, many of the Irish manufacturers were in the interior of the country. There was one inland one which paid duty, it was said, to the amount of £150,000. There was one which also paid a considerable duty, and employed many persons; and the proprietor had assured him, that if the Bill passed in its present form, he would be obliged to relinquish the manufacture; and there were many others similarly placed far from the Custom-house establishments, which were generally in the larger cities and at the ports. Now, did the Chancellor of the Exchequer intend to deal with these manufacturers, situated as he had described? Were they all to be destroyed for the sake of the theoretical advantages which the hon. Gentleman styled free competition, or was he about to form Customs establishments in every small town where there there was a tobacco manufactory? These establishments must cause expense, and he saw no provision for them in the Bill. He wished to add, that he made these statements on that serious subject, not upon his own authority, but on that of the Irish manufacturers themselves.

SIR STAFFORD NORTHCOTE said, he could not help thinking that the Chancellor of the Exchequer had been rather unfortunate, if not ill-advised, in the course which he had pursued in regard to the Bill. While the right hon. Gentleman had brought it, or rather the Resolutions upon which it was founded, before the House at a period so very early in the Session that it had created some surprise at his dealing at that time with a matter of some importance to the financial statement, yet certainly the course he had taken did give ample time for fully considering the matter. At the same time, he had brought forward a measure the importance of which appeared to have been somewhat exaggerated. Upon the principle of the Bill he believed the majority of the House were agreed; but, unfortunately, the discussion had been brought on at such inconvenient hours that two discussions had been provoked and two adjournments had taken place upon a very simple question. That he thought was to be regretted. The debate, however, had thus been spread over three nights, the hon. Member for the Tower Hamlets having made his speech upon one occasion and the Chancellor of the Exchequer upon another; and now the discussion was renewed in the presence of many Members who had heard neither of those speeches. However, as the matter now stood, they had only to consider in what manner they should deal with the Amendment. He had not the advantage of having heard the speech of the Chancellor of the Exchequer on Friday last, but from the published reports he believed that his objections to the Motion of the hon. Member were two—

First, that the course proposed was unprecedented; and, secondly, that it would only have the effect of wasting the time of the House, and of putting off the discussion upon the Bill. With regard to the course being unprecedented, he (Sir Stafford Northcote) did not know whether there was any exact precedent for it; but the House ought to bear in mind that they were about to deal with a most important and at the same time peculiar branch of the revenue, realizing between £5,000,000 and £6,000,000 annually, or one-fourth of the total Customs revenue of the country, and that the tax in fact amounted to a duty of 1,200 per cent upon the article upon which it was imposed. In order to secure those duties being raised, it was necessary to subject the manufacturers of the article to a number of complicated Excise restrictions. In consequence, there were many delicate questions raised, all of which ought to be considered before deciding to touch the tobacco duties. There was no saying to what consequences it might lead if they proceeded hastily and inconsiderately to deal with one portion of the subject. In 1840 an alteration was made in the mode of securing the tobacco duties and in less than three years it was found necessary to retrace that step, showing how careful the House should be in dealing with these duties. Therefore, he did not consider the fact of there being no exact precedent decisive against the proposal of the hon. Member for the Tower Hamlets. The next question was, whether that proposal, if agreed to, would only lead to waste of time, and the virtual defeat of the measure. If that were its object, he certainly was not prepared to support it, as he was of opinion the measure was good in principle. But, although it was a step in the right direction, great caution was required in taking it, and he thought they would rather be losing time by recklessly discussing the measure in a Committee of the Whole House, without any authentic information to guide them. It was not true that a whole Session need be lost if the Bill were referred to a Select Committee. A case in point occurred in the previous year, when the sugar duties were referred to a Select Committee; and he apprehended that the questions which were raised in reference to the sugar duties were at least as great in importance and in complication as those raised by the Bill before them, but that Committee upon the sugar duties occupied very little more than two months, and then they presented a very good Report. Now, if they were to send this Bill to a Committee for discussion, and the Committee were animated by a like spirit to that which animated the Committee upon the sugar duties, they would get through their work in very good time. The Session had only just begun, and the Bill need not be lost if sent to a Select Committee. [The CHANCELLOR of the EXCHEQUER: That is not the Motion.] His right hon. Friend reminded him that that was not the Motion, and he entirely agreed with him; but he was about to add, when he was interrupted, that he thought that the Motion of the hon. Member for the Tower Hamlets was not the one best adapted to meet the circumstances of the case. He himself would very much prefer to see the Bill read a second time, and that then the Chancellor of the Exchequer should agree to refer it to a Select Committee in order that they might affirm the principle of the Bill and afterwards discuss its details. He quite felt with the hon. and gallant Member (Colonel Dunne) that they would be utterly at sea if they were to discuss the question in a Committee of the Whole House, in which most of the Members must necessarily know nothing of the details. He himself had had communications with several persons engaged in the tobacco business, but he did not know whether to take their statements as correct or not. He had had no opportunity of sifting them, and he did not know that he could do so in a Committee of the Whole House. The same would no doubt be the case with other hon. Members. Again, if they discussed the matter in a Committee of the Whole House, many hon. Members would come in on a division and vote with the Government or with the hon. Member for the Tower Hamlets, without having heard the discussion. It was quite impossible that they could satisfactorily dispose of a complicated matter of this kind in such a way as that. As he had said, his wish was that the Government should consent to send the Bill to a Select Committee; and if he received an assurance that they would pursue that course, he would vote against the Motion of the hon. Member for the Tower Hamlets; but if he failed to obtain such an assurance, he should feel obliged to vote for the Motion of the hon. Member, because he thought it impossible to go properly into the question without that minute and perfect information which could only be got through the medium of a Select Committee. The Chancellor of the Exchequer had told the House that he wished them to examine the matter for themselves; and when they said that they wished to examine it by means of a Committee, he said, "I do not wish that, and you must examine it in my way." That was not quite fair. It was like a conjuror who asks you to examine his cards but will not let you take them into your own hands for the purpose. Unless the House were allowed to inquire by means of a Select Committee, the invitation to them to examine into the subject was a mockery. He differed to some extent from the hon. Member for the Tower Hamlets, who seemed to be taking a line not quite in accordance with the received opinions of the majority of the House. He (Sir S. Northcote) was quite prepared to admit that in principle the measure was good and a step in the right direction. The details, however, had not been discussed. As matters stood, manufactured tobacco was practically excluded by a duty of a prohibitory character, and it would be for the interest of the consumer and of the revenue that that duty should be reduced so as to allow of foreign cigars entering into competition with English; but if the reduction went too far, they might be injuring the English manufacturer without benefiting, but rather injuring, the revenue. There were two evils to be guarded against—smuggling and adulteration. A reduction of duty might diminish smuggling; but if foreign cigars were allowed to be imported at too low a duty, a temptation would be offered to the English manufacturer to have recourse to adulteration. The Chancellor of the Exchequer had told them that it was necessary to make a distinction between the manufactured and the unmanufactured article in order to place the British producers on a fair footing with foreigners; but the question whether the protection given was adequate could not be discussed properly in a Committee of the Whole House without further inquiry. There was also to be considered the question whether the arrangements proposed by the Chancellor of the Exchequer for manufacturing cavendish tobacco in bond were satisfactory. They were told by the manufacturers that they were not satisfactory, and he wanted to know how that was, and to hear the statements of the manufacturers on one side and those of the Custom-house officers upon the other. Then came the question whether they ought to give the cigar makers power to manufacture in bond? That was one of the questions upon which he should like to hear the opinions of the manufacturers and of the Custom-house officers. The Chancellor of the Exchequer, on being asked the question, answered that he would take the matter into consideration; but afterwards he said, without giving any reasons, that he thought that it would not do. The House surely ought to know what his reasons were, and how far they would bear examination; and he must himself confess that the only reason which he had heard the Chancellor of the Exchequer give was not a satisfactory one. He said that he could not allow the manufacture in bond because such permission would only be applicable to large manufacturers; in other words, that it would give the larger manufacturers an advantage which they ought not to have over the small ones; but as the effect of giving the privilege of manufacturing in bond was simply to place those who availed themselves of it on a level with the foreigner, the question would arise, did not the right hon. Gentleman, in refusing this privilege, propose to put the large manufacturers upon the same footing of disadvantage with regard to the foreigner that he had refused to put the small manufacturers upon in reference to the large manufacturers? That seemed to lead to the conclusion that the privileges given to the foreigner were too great. Another point was as to the question of the drawback. The Treasury and the Customs had fallen into an error respecting the drawback, and had fixed it at so low a point, that exportation was impossible. The Chancellor of the Exchequer now promised a better one; but when a mistake in the calculations of the departments on one point was thus admitted, he thought that the conclusions of the Treasury and of the Customs authorities might be fairly challenged on other points. The House was told that the right hon. Gentleman only wished to give fair play to the home manufacturers; but with every wish to do that, he might have made some mistake in the figures, as had been done in the instance he had just mentioned. For these reasons he thought it desirable that the question should be considered in a Select Committee, where it might be disposed of in a comparatively short time; and such a course, indeed, would probably be attended with a saving of time, because nothing was worse than to press legislation upon matters of such serious importance, and then afterwards have to undo it. If, therefore, it was not understood that the Bill would be referred to a Select Committee after being read a second time, he should vote for the Amendment.

MR. CRAWFORD said, it appeared to him that the proposition of the hon. Member for the Tower Hamlets seriously invaded those principles of free trade upon which the commercial legislation of this country had been for some time past founded. When he heard the speech of the Chancellor of the Exchequer the other night, he was in some doubt as to the vote he ought to give; but having given to the right hon. Gentleman's statement his full consideration, and having carefully weighed the representations made to him by his constituents upon the subject, he had arrived at the conclusion that there was nothing in the particular article of tobacco that should exempt it from the principles to which he had referred. The correct principle was that every consumer should have the commodity he required free from increase of cost by reason of Custom-house duties of any kind except those which were necessary for purposes of revenue. The proposition of the Government rested upon three points. They said that the alterations they proposed would be for the advantage of the revenue, that they would prevent smuggling, and would be for the benefit of the consumer; and the Chancellor of the Exchequer had also stated negatively that the measure would not in the long run affect injuriously the manufacturer. Upon all these points his hon. Friend was at variance with the Government, but he (Mr. Crawford) was inclined to think that the views expressed by the Chancellor of the Exchequer were the correct ones. With regard to the revenue, they were not in a position to express any opinion as to what the extent of the advantage might be. But the question was intimately connected with the question of smuggling. It had been stated the other night in the House that smuggling was not now carried on to the extent that was supposed. But if that were not the case, how was it they had not seen an increase in the consumption of tobacco with the increased population, as they had in the case of every other article of consumption. Their own senses told them that tobacco was used as largely by every class of the community as it ever had been; and, consequently, if there had not been the increase of consumption that there had been with regard to other articles some other cause must have been in operation to prevent it. For his own part, having examined the evidence taken before the Committee of 1844, and having seen to what an extent smuggling was carried on, and the ingenious methods by which tobacco was surreptitiously introduced, he had arrived at the conclusion that smuggling was still practised to a considerable extent, and that it behoved that House, therefore, to sanction the proposition of the Government, if it would have no other effect than to remove that evil. With regard to the interest of the consumer, he held, as he had before remarked, that the consumer of tobacco had a right to have access to the tobacco which he used without the cost being increased to him by any Custom-house or other exaction than that which the revenue required, and that if they protected the home manufacturer of tobacco against the foreign manufacturer, they were introducing again that system of protection against which that House had so often declared its opinion. The Committee to which he had already referred had, he thought, disposed of all the great principles which were involved in the present discussion; and considering the numerous opportunities which a Committee of the Whole House afforded for the consideration of the details of the measure, he saw no reason for resorting to the tedious process of sending the subject before a Select Committee. Reference had been made to the Committee of 1830 upon the growth of tobacco; and if hon. Members would refer to the Report of that Committee, they would find ample evidence with regard to the growth and manufacture of tobacco in Ireland. The permission to grow tobacco in Ireland for home consumption was not availed of in that country from 1799 to 1824; and though during the succeeding five years 500 acres were brought under tobacco cultivation, the evidence before the Committee showed, that owing to the inferiority of quality, a duty of 1*s.* 8*d.* as against 3*s.* on foreign tobacco would not be a compensating protection. Another thing which struck him in the course of the discussion was, that three prominent Members of the House, the hon. Members for the Tower Hamlets, Southwark, and Sheffield, particularly, were all of them abandoning the great principles of free trade in the interests of a particular manufacture. Speaking for himself, he should not feel disposed to throw over the interests of ninety-nine out of every hundred of his constituents for the sake of the one who might be engaged in this manufacture. From the Report of the Committee which sat on the growth of tobacco in Ireland, in 1830, it appeared that Irish tobacco was in a great degree inferior to that grown in America. He would therefore ask whether it would be possible to expect that in Ireland or elsewhere tobacco could be grown profitably unless its cultivation were supported by a protective duty, and whether any man would now get up and affirm that any article of domestic consumption ought to be protected by a duty? He was prepared to assent to the proposition of the Chancellor of the Exchequer.

SIR EDWARD GROGAN said, he was anxious to have the question as to the rates of duty decided by a Committee, who had fully considered it, and heard all the evidence that it might be thought necessary to adduce on the subject. That could only be done by a Select Committee. The Chancellor of the Exchequer was at present unable to state distinctly the rates of duty which ought to be laid down; and if that question were left to a Committee of the Whole House, they would have it decided by hon. Members many of whom would know nothing about the details, but would rush in to vote after the Question was put. They all knew that Ireland was suffering from a want of labour, and the tobacco manufacture was one of its most important industries, as hon. Gentlemen well knew that Ireland was remarkable for its excellent snuff. But there were other considerations. He had always understood that objects of luxury were, as compared with those of prime necessity, fit subjects for taxation, and tobacco was certainly a luxury compared with many other taxed articles. Moreover, the revenue from the tobacco duties was increasing. In 1860 it was £5,600,000; in 1862, £5,714,000—showing that the trade was growing. The Army and Navy Estimates were before them, and there was a reduction of £2,000,000, and they heard that the revenue was in a very flourishing state: if they adopted the proposition of the right hon. Gentleman, and endangered a portion of the revenue derived from tobacco, they might prevent a reduction in articles of prime necessity, such as sugar and tea, and the income tax. For these reasons he thought it desirable that they should hear the financial statement, and consider whether there were not other duties which might be diminished with advantage before giving up perhaps £2,000,000 of the tobacco revenue.

MR. CHILDERS said, the real question at issue between the Chancellor of the Exchequer and the hon. Member (Mr. Ayrton) was not whether the duty should be 5*s.* 2*d.* or 5*s.* 6*d.* It was this:—The hon. Member asserted, that whereas under the law which had been in existence for many years a valuable manufacture had been raised, in which it was decided by the Committee which sat in 1844 that no alterations could be made with advantage, the Chancellor of the Exchequer, on the other hand, said that the state of trade was not satisfactory, and that smuggled cigars were very largely imported. The hon. Member for the Tower Hamlets denied that any change was required——

MR. AYRTON explained, that what he said was, that if one change were introduced, a great many would be necessary.

MR. CHILDERS: But still he insisted that unless the duty on unmanufactured tobacco were reduced, no change could be made in the higher rates. For his part, he agreed with the hon. Member for Stamford that it was not the case of a reduction of duty with a view to recuperation afterwards; it was simply whether that difference of duty between manufactured and unmanufactured tobacco, which was fixed at a time when questions of political economy were not so fairly raised as they were now, was a fair difference. The Chancellor of the Exchequer's opinion was that the present state of the tobacco question, quite irrespective of the inquiry whether the duty on manufactured tobacco should be greatly reduced, was eminently unsatisfactory. He would test the question by a simple canon. Whenever a trade and the fiscal laws affecting it are in a satisfactory condition, either the article would be manufactured better abroad; and, if so, the import would steadily increase; or if this country were able to carry on its manufacture skilfully, there would be a steady increase from year to year in the export. If that was a proper axiom to be laid down in all instances, it was easily applicable to the case of tobacco. The import trade in cigars had not increased, except to a very small extent. On the other hand, there was no increase in the export trade from this country; and nothing could be more miserably bad than the home trade in manufactured cigars. If that were so, the House was clearly justified in passing the second reading of a Bill which would bring about a change. The consumption of cigars in this country, as compared with other tobacco, was probably much less than in any foreign country at the present time, or in any British colony, where the law stood in a better position than it did here. The consumption of cigars in England, though it was somewhat difficult to ascertain the facts accurately since the abolition of the old Excise survey, was between 2 and 2½ per cent of the whole consumption. In foreign countries the amount of consumption was also somewhat difficult to get at, but in no foreign country probably was it less than 5 or 6 per cent. When they came to the colonies, where the habits of the people were in a great degree similar to those of England in other respects, the consumption of cigars amounted to 10, 12, and 14 per cent of the entire consumption. Therefore the law was favourable neither to the revenue nor to the wishes of the people, and should be put upon another footing. There was another question, of less importance, connected with this. In the consumption of snuff there was a great falling off at the present time. In no respect had national manners changed more completely in the last hundred years than with regard to the relative use of snuff and tobacco. In order to illustrate the utter impossibility of some event taking place the Poet Gay had written—

> "Sooner shall Britain's youth from snuff be freed,
> And fops' apartments smoke with India's weed."

However, he would leave the snuff question in other hands. But as to cigars, he thought that the evidence before the Committee of 1844 disclosed the facts without further inquiry. It was true that the witnesses who were manufacturers were anxious to retain protection. But almost all admitted that it was too high, and they justified it by arguments derived from the comparative rates of wages in England and abroad, of no value to free traders. Several admitted that a difference of 50 per cent was ample, and this was more than covered by 5*s.* as against 3*s.* 2*d.* There was no system of statistics in this country to show the loss in the original weight incurred in changing tobacco into cigars, but in France, for example, where statistics were kept, it appeared that the loss was only eight per cent; that is to say, there was a loss of about 1,500,000 kilogrammes on 17,500,000 kilogrammes of leaf. Such being the facts, he thought the Chancellor of the Exchequer had put forward good grounds for giving a second reading to the Bill, and in Committee the exact amount of duty could afterwards be fixed. He hoped, therefore, that the House would not be induced to take a course which would be inconsistent with the principle of free trade. The question before them was a consumers' question, and as he was opposed to every attempt at bolstering up a manufacture to the injury of the revenue and the consumer, he should cordially support the second reading of the Bill.

MR. HORSFALL said, he rose to protest against the view taken by the hon. Member for the City (Mr. Crawford) that the matter before the House was a question between protection and free trade. The question before the House was simply this, whether they should proceed at once to legislate, or wait till the whole subject had been fully considered by a Committee. He had voted for the adjournment of the debate on the first night, not from any opposition to the Bill, but because he thought there was a want of information, and they ought to have some time to receive communications from their constituents. When he saw the notice on the subject which the Chancellor of the Exchequer had put upon the paper, he could not help asking why it was ncessary to bring in a Bill before the financial statement was made. They were told there were precedents for doing so, but there might be bad precedents as well as good ones. When a Motion was made last year to pledge the House to a reduction of the duty on fire insurances, he opposed the Motion, not that he did not think that the duty ought to be reduced, but, because it would be unjust to the Chancellor of the Exchequer to demand the remission of a duty which, upon making his financial statement, he might not be in a position to concede. He had received many communications upon the subject of the Bill, several of them approving its principle, but saying that great injustice had been done to the Chancellor of the Exchequer by those who drew the Bill, because it would be found inoperative. All the communications which he had received, however, concurred in begging him to support the Motion of the hon. Member for the Tower Hamlets for further inquiry. He trusted, however, that the Chancellor of the Exchequer would render a division unnecessary, by consenting to take the second reading on the understanding that the Bill should afterwards be referred to a Select Committee.

MR. CARDWELL said, that the hon. Member for Stamford (Sir Stafford Northcote) began his speech by complaining that the Chancellor of the Exchequer had not anticipated the discussion upon the principle of the Bill; and in the very next sentence he stated that he supposed upon the principle of the Bill they were all unanimous. The hon. Gentleman also spoke of the Motion of the hon. Member for the Tower Hamlets as inopportune, and regretted, that unless he got a certain assurance, he should be compelled to support it. But what, then, became of the complaint against the Chancellor of the Exchequer, if they were all agreed upon the principle of the Bill? His hon. Friend appealed to the Chancellor of the Exchequer to appoint a Committee on the Tobacco Duties at a further stage of the measure; but the question then before the House was this, whether the Bill should be read a second time or not. The hon. Member for Stamford did not appear to stand well to his guns. Would the hon. Gentleman look to the terms of the Amendment, which were "that a Select Committee be appointed to inquire into the expediency of altering the laws for raising a revenue on tobacco"? Would the House let it go forth that it was a question in doubt whether it was expedient to alter those laws or not? The hon. Member for Stamford did not doubt the expediency of altering those laws, and the hon. Member for the Tower Hamlets himself said he did not doubt, but he only wanted to promote more changes. Now, Her Majesty's Government stood upon the principle of the Bill, and that was the reason why they asked the House to assent to the second reading. Their object was to apply the same wholesome principle to tobacco which had been applied to almost every other article. His right hon. Friend had brought in the Bill to accomplish three purposes—First, to increase the revenue; secondly, to benefit the consumer by cheapening the article; and, thirdly, to deprive the smuggler of part of the unlawful profits of his business. Was it necessary to argue the question at length after the speeches of the hon. Member for the City (Mr. Crawford) and the hon. Member for Pontefract (Mr. Childers), and after the admissions of the hon. Member for Stamford? Was it necessary to argue, when a single fact contained the germ of the whole question—when there was raised upon that article nearly £5,600,000? [Mr. AYRTON: Not from manufactured tobacco.] That only made the case all the stronger. If £5,600,000 was raised from unmanufactured tobacco and less than £200,000 from the manufactured article, what was the necessary inference? Was it not that, so far as our Customs regulations were concerned, there was a complete monopoly somewhere as against the consumer in the production of that tobacco? It was the destruction of that monopoly which was demanded. If it were a monopoly in the hands of the home manufacturer, it was a wrong against the consumer, who had a right to free trade in that as in other articles. But a worse monopoly was that given by the effect of the existing legislation to the foreign manufacturers, through the intervention of the smuggler. He understood that with regard to cavendish tobacco, the foreign manufacturers obtained a monopoly in the markets of this country through the intervention of the smuggler, and it was to destroy that monopoly that the passing of the present Bill was required. The hon. Member for the Tower Hamlets asked the House to do in respect of tobacco what had never been proposed in respect of any other articles—namely, to interpose by a dilatory inquiry as to the expediency of making the reduction at all. His hon. Friend said that tobacco was a peculiar article of manufacture; but the same observation had been made with respect to every single article on which reductions had been proposed in former times. The sugar duties, said the hon. Member for Stamford, constituted a more complicated case, and were well dealt with by a Select Committee in the last Session; and the hon. Member thought that that might form a precedent for a similar course of proceeding with regard to the tobacco duties. Now, it ought to be borne in mind that the duties on refined sugar had been from time to time considered in that House, and settled without being referred to a Select Committee, in consequence of the adoption of a Motion like that before them on the second reading of the Bill; and the Chancellor of the

Exchequer only asked the House of Commons to deal with the tobacco duties in the mode in which the sugar duties had heretofore been dealt with. It was said that the measure was favourable to the rich and not to the poor; but the reduction on Havannah and Manilla cigars was the repeal of a direct impost, whereas on the great mass of manufactured tobacco the repeal was from a prohibitory duty—from a duty which did not go to the Treasury, whilst it added to the price of the article consumed by the great mass of the people. The hon. Member for Huntingdon (Mr. T. Baring) said they ought to begin by taking the duty off the raw material. That was a plausible argument. But he contended that the first thing to be done was to remove the protective duty, and then, when they saw what the increase of revenue was, the House would be in a better condition to determine what they would do with regard to the raw material. He therefore confidently appealed to the House not now to adopt an evasive Resolution, but to pursue with respect to tobacco the course heretofore pursued with respect to all the great articles of consumption, and to affirm the principle of the measure by passing the second reading.

Sir HUGH CAIRNS said, he trusted that the House might be allowed to discuss the small question which arose on that occasion without any appeal to the large and general principles of free trade. The right hon. Gentleman (Mr. Cardwell) had told them that every article which had been legislated upon in the way of reduction of duty for the last thirty years had been regarded as a peculiar one. But there was one peculiarity in regard to tobacco which did not attach to any other—namely, that all the manufacturers of tobacco, as far as he could ascertain, would not object to Excise regulations being imposed upon them, if they were only allowed to choose their material and their mode of manufacture, with a drawback on exportation. The Chancellor of the Exchequer himself admitted that a difference must be made in the amount of duty to be paid by the person who had manufactured tobacco in bond, and by the foreigner who paid at the Custom House. The question was how the amount of that difference was to be obtained, and how the evidence was to be taken which could satisfy them that the proper amount of difference was arrived at. He therefore thought that some investigation was necessary, either before the Bill was read a second time, or, as he should prefer, after it was read a second time. Take, for instance, the article snuff, one of the principal forms of tobacco manufacture in Ireland. The manufacturers stated that for every pound of snuff made a pound and a half of tobacco was consumed. [The Chancellor of the Exchequer: Not tobacco, but stalks.] They said tobacco. The Chancellor of the Exchequer originally framed his Resolutions and his Bill entirely overlooking that fact, and fixing such a rate of duty as would have placed the Irish manufacturers at a great disadvantage. Since then he had proposed to amend his figures by a difference of some *5d.* per pound. The manufacturers said that that sum was not sufficient; the Chancellor of the Exchequer said that it was. It was impossible that a Committee of the Whole House could decide where the truth lay; and this was therefore pre-eminently one of those subjects into which a Select Committee, before which the interested parties could appear and be heard, might advantageously inquire. Again, the Bill provided for the manufacture in bond in this country of cavendish and negro-head, the object being to enable the manufacturer to do what had hitherto been prohibited, to mix with the tobacco sugar or saccharine matter. The Irish manufacturers said that cavendish or negro-head was not made in Ireland, and was not required there; but there was a sort of tobacco which was made there, roll tobacco, and they asked why that also should not be made in bond. With regard to cigars, too, although that was a manufacture which did not so nearly concern Ireland, hon. Members had asked why they also should not be allowed to be made with an admixture of saccharine matter, in which form the foreigner could import them. [The Chancellor of the Exchequer: No, he cannot.] He saw in this Bill no clause which prescribed the form in which cigars should be imported, so as to prevent the foreigner from bringing in those which contained saccharine matter. Under these circumstances was it anything short of mockery to say that the home manufacturers were about to enter into a free competition with foreigners? It seemed to him to be a proposal to engage the home manufacturer to compete with the foreigner with his hands tied behind his back. There might be good reasons why it was impossible to allow roll tobacco and cigars to be manufactured in bond in the same way as cavendish and negro-head; but that was a matter for inquiry, and one which neither the House nor a Committee of the Whole House could decide merely by the assertions of Members on one side and on the other. But the reasons for inquiry did not stop there. The Bill professed, as the great foundation for the admission of foreign manufactured tobacco, to permit the manufacture of tobacco in bond; but the Chancellor of the Exchequer had not explained how he meant to carry out that part of the scheme. With regard to that part of the question, there were two different classes of towns to be considered, seaports and inland towns. In seaports he supposed that it was intended that the manufacture should take place in the Custom House or in bonded stores equivalent thereto. Was not the House to receive any information as to the existing accommodation for such manufacture? In Belfast there were twenty or thirty very extensive tobacco manufacturers, and it was impossible that they could be supplied with accommodation for their manufacture within the Custom House. Were they, then, to be called upon to provide, in addition to their existing manufactories, others in which, under a separate surveillance and with a separate staff of workmen, they should carry on the manufacture? And how were the inland towns to be dealt with? In Cavan £150,000 was paid annually in tobacco duties; in Lurgan one manufacturer paid £20,000 a year, and in Tullamore another manufacturer paid upwards of £70,000 a year. All these enormous sums were now paid at the nearest seaport without a shilling of expense to the Government, there being no collectors at the towns mentioned. Were the Government prepared to send a staff of officers to superintend bonded warehouses in these towns? If they were, ought not the House to be informed what additional expense would be caused by that arrangement; and if they were not, what would become of these manufacturers? Those were matters as to which either the Government ought to give some information, or there ought to be an inquiry before a Select Committee of that House. The manufacturers only desired that they should be left at liberty to manufacture tobacco without bonded warehouses, but subject to any proper control in the shape of Excise regulations. If the Chancellor of the Exchequer would concede that, he would relieve the measure from a great deal of the odium which attached to it. The Bill did not provide for such a system of manufacture, but no one with whom he had conversed upon the subject was able to see why it should not be carried out. With reference to the exportation of tobacco, the House had only a few minutes before had presented to it a most excellent argument in favour of inquiry. The hon. Member for Pontefract (Mr. Childers) said, that he had been looking at the statistical Returns of the Board of Trade, and he found that there was hardly any tobacco exported from this country. Did not he know that, according to the present law, and by reason of the arrangements regarding drawback, the exportation of tobacco was almost an impossibility? And was there one word in the Bill with regard to exportation? The hon. Gentleman was under the delusion that by voting for the second reading of the Bill he was going to promote the exportation of tobacco, and the Chancellor of the Exchequer had told the House that he had either in his mind or on paper some provisions which would facilitate that exportation. But surely the trade ought to see those provisions before the second reading of a Bill which had this for its foundation, that while on the one hand the manufacturers of this country were to be exposed to the competition of foreigners, on the other they were to be enabled to compete with those foreigners in the matter of exportation. That was a matter which might also be very properly inquired into by a Select Committee; and while it appeared to him that the present high rate of duty on foreign manufactured tobacco was extremely inconsistent with the whole progress of our legislation, he at the same time must say, that the question assumed an entirely different aspect when it was admitted that the home manufacturer could not be placed on the same footing with the foreigner, and when the point for decision came to be what should be the measure of the difference in the case of the two. The question at issue was not, in short, one of free trade, and for the reasons which he had adduced he trusted the House would see the expediency of adopting the course which he had indicated.

MR. BUTT said, he should support the second reading of the Bill. As far as he could judge it was agreed on all hands—even by the hon. Member for the Tower Hamlets (Mr. Ayrton)—that the existing prohibitory duty should no longer be maintained, and yet the expediency of altering the law being thus admitted, the Resolution proposed by the hon. Gentleman was one for a Select Committee to inquire whether, in fact, it was expedient to alter the law at all. The House was asked by the Chancellor of the Exchequer to affirm a principle which had not been denied by any hon. Member. The details of the measure could, and no doubt would, be fully discussed in Committee of the Whole House. He (Mr. Butt) was not altogether content with the rate of duty proposed; and he believed, if the right hon. Gentleman was found not to give to the home manufacturers the full contervailing duty to which they were entitled, he would fail to carry his proposition. It did not, however, require the cumbrous machinery of a Select Committee to determine what amount of duty was payable on the tobacco that entered into the manufacture of a pound of snuff. Such a Committee could result in nothing further than the production of a ponderous blue-book containing information by no means so definite and so easily accessible as that which might, by a system of examination and cross-examination, be elicited from the Chancellor of the Exchequer in a Committee of the Whole House.

Mr. NEWDEGATE said, he felt bound to support the proposal of the hon. Member for the Tower Hamlets, who asked that the case of his constituents, in as far as they would be affected by the Bill, should be made the subject of a special inquiry. Let the House consider the position in which they stood. The whole of that £6,000,000 of revenue were based on a prohibition—a prohibition to grow tobacco in this country; and yet while they maintained that prohibition, they went on talking about protection or the abolition of protection. He believed that the prohibition was necessary for the purposes of the revenue; but it was still a prohibition, and any question of protection that could arise in the consideration of the Bill was comparatively a matter of utter insignificance. He did not like prohibition. Commercially and economically it was as absurd as unrestricted competition. He had risen, however, mainly for the purpose of protesting against the perpetual reiteration of the praises of a system of free imports which were thrust on the House in season and out of season. That was a mere waste of the time of the House. It only reminded him of the crowd which shouted, "Great is Diana of the Ephesians." The question was, whether

the House would consent to alter the tobacco duties without further information than that which they then possessed. They had high commercial authorities deprecating that course, and stating that the interests of certain manufacturers were involved in the matter; and under these circumstances he should certainly support the Amendment of the hon. Member for the Tower Hamlets.

The CHANCELLOR of the EXCHEQUER: Sir, I will not say anything of a controversial nature, but there are three points on which I desire to make an explanation. First, the principle on which this Bill is founded is, that in the shape of duty there should be, as against foreign manufactured tobacco, such a rate of charge as will fairly compensate both the direct impost paid by the British manufacturer on the raw material, and the indirect impost, as far as it can be fairly and liberally estimated, which a heavy duty of this sort is likely to entail in the form of trade regulations. Second, any restrictions as to the use of ingredients applied to the manufacture of tobacco at home shall be rigidly enforced in regard to the importation of corresponding descriptions of tobacco from abroad. Provisions for that purpose are in part to be found in the Bill, but there are other provisions to the same effect in the existing law which will remain untouched. Third, I do not admit that the question whether we can or cannot contrive a good system of export ought to govern our decision as to repealing the prohibitory duty. I have all along recognised the obligation and expressed the desire to examine with the utmost care every measure that may be proposed for the purpose of opening new channels of trade to the British manufacturer. I hope to be able, on the whole, to comply with the suggestion which has been made, that after the duty has been paid on tobacco when it enters the country the manufacturers shall be permitted to proceed with the manipulation of it without let or hindrance, and shall then on exporting it receive full compensation for the duty they paid in the first instance. I hope I may assume that the House will read the Bill a second time. In that event I shall fix the Committee for Thursday, in order to introduce into the Bill certain additional provisions. The measure will then be reprinted, and I shall allow an interval of a week or ten days for its consideration by Members.

MR. AYRTON said, that after that statement of the Chancellor of the Exchequer he would wait to see the Bill in its altered form, and would not press the Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Thursday.*

CORRUPT PRACTICES AT ELECTIONS BILL—[BILL 8.]—COMMITTEE.

Order for Committee read.

Moved, "That Mr. Speaker do now leave the Chair."

MR. LYGON said, there were certain clauses in the Bill which involved principles of great importance, and he therefore trusted it would receive a very full and searching examination. In the first place, he objected to the manner in which the Bill proposed to deal with the right of agents to vote. The Act of 1854 had justly done away with the disqualification upon agents being allowed to vote, and he did not see how those who were anxious for the extension of the franchise, and maintained that every person had a right to vote, could insist upon the exclusion of any one class of the community. The experience of the last few years showed that no harm had been done by doing away with the restriction. He also believed that a good deal of confusion existed in the minds of people on the subject of bribery, and that they had not sufficiently distinguished between the commission of bribery as an offence against the law cognizable by the ordinary tribunals, and bribery as it affected the possession of seats in that House, to deal with which belonged exclusively to the House. He believed that the bribery laws would never be in a satisfactory state until the proof of bribery in the ordinary courts was made precedent to the institution of proceedings in that House. It was said that bribery was a serious offence and ought to be severely punished; but experience had proved that it was a mistake to impose on an offence a punishment disproportionate to its magnitude. He believed the best way to deal with the subject was to define clearly in what the offence consisted, to refer it to the ordinary tribunals, and to attach to it a punishment proportionate to the sense of its seriousness which was entertained by the country at large. It also appeared to him that the eighth clause was a departure from the wise, just and merciful principle of law, that no one should be compelled to criminate himself. By that clause the witness before a Committee or a Commission was bound to answer every question, and it was left to the discretion of the Committee or Commission to give a certificate of indemnity. If witnesses were to be compelled to answer questions which might tend to criminate themselves, there ought to be no option, and the certificate ought to be given as a matter of course. With regard to the form of the certificate, he would suggest that it ought not to be that the witness had made a true disclosure of all things upon which he had been examined; because it was impossible for any tribunal to pronounce that certain answers were true, but that the witness had answered fully the questions which had been put to him. He trusted that either the Bill would be very much amended in Committee, or that on a future occasion the whole subject would undergo full revision.

SIR GEORGE GREY said, that the points which the hon. Member had adverted to would be very proper points for the consideration of the House in Committee.

House in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Disqualification of Agents).

MR. COLLINS said, he should move the substitution of the word "such" for "other" before the word "capacity." His object was to prevent the disqualification from voting of persons employed incidentally in an election—as, for instance, the publisher of a newspaper in which the advertisements of the candidate appeared.

Amendment *agreed to.*

MR. PULLER said, the object of the clause was to disqualify persons who were employed as agents, canvassers, poll-clerks, and messengers. Such disqualification was by no means unnecessary, as he knew cases in which there were about 150 committee-rooms engaged by the candidates with no other view than that of using them as means of influencing electors to vote for them. He proposed to add to the list persons of whom committee-rooms were hired, and also persons who were paid for furnishing meat, drink, or entertainment on the order of any candidate, or any agent of any candidate, for the purpose of influencing any person to vote for such candidate. He would, therefore, propose in line six, after the word "void," to insert—

"And if any voter shall at any time before, during, or after any election, agree for or accept any payment for or in respect of the hire of any room used as a committee-room or otherwise for promoting the election of any candidate, or for or in respect of any meat, drink, entertainment, or provision furnished by him to any person on the order of any candidate, or any agent of any candidate, for the purpose of influencing any person to vote for such candidate, or to abstain from voting at such election, or on account of any person having voted or promised to vote for such candidate, or refrained or promised to refrain from voting at such election, he shall be incapable of voting for such candidate at such election, and his vote, if given for such candidate, shall be void."

SIR MINTO FARQUHAR said, the Bill was fast becoming a Bill for the wholesale disfranchisement of electors. The existing law made it an offence to furnish meat, drink, and entertainment for the purpose of influencing any person to vote for a particular candidate. The latter part of the Amendment was therefore unnecessary. He was at a loss to understand why a man was to be disqualified for letting a committee-room to a candidate for a small consideration.

LORD ROBERT CECIL said, that the Amendment would compel candidates to embark in a sea of uncertainty from which no one could extricate himself. It might, perhaps, be possible to obtain a legal definition of a "committee-room," but what was to be said of a room used as a committee-room, "or otherwise for promoting the election of any candidate"? There was no end of the ways in which a room might be used for promoting the election of a candidate. A letter might be written, an address might be drawn up, a speech might be composed in a room, and each of those acts might be said to be an act for promoting the election of a candidate; but was the owner to be deprived of his vote for allowing his room to be so used? He came to the next part of the Amendment, which was perfectly bewildering. It provided that if A gave drink to B, in order to induce C to vote for D, then A was to be disfranchised. Why was A to be disfranchised for a process which ended such a long way off? He thought that such a complicated machinery could not be made to work, and that under the shelter of such provisions a great deal of real bribery and corruption might be practised with impunity.

SIR GEORGE GREY said, he was afraid that it would be impossible to give effect to such minute regulations as those proposed by this Amendment. Its words would seem to apply to the keeper of the hotel where any candidate might be staying, and where he might see his friends or talk over the arrangements of the election. The result would probably be, that the candidate would go to an hotel kept by a warm partisan of his opponent and thereby cause him to be disqualified. The other part of the Amendment, relating to treating, would be hardly more practicable.

MR. LYGON said, as he read the Amendment, butchers, bakers, and everybody who furnished anything on the order of a candidate or his agent, would be disfranchised.

MR. PULLER said, he did not contend that in all cases contemplated by the Amendment the publican necessarily did anything corrupt, but that, on the whole, to preserve the purity of elections, it was essential to watch jealously all pecuniary arrangements between candidates and voters. When a candidate went to canvass a publican, in nine cases out of ten the publican said, "I have not made up my mind; I don't think I shall make it up till the last day." They all knew pretty well that this meant, that if the candidate would open his house, he would vote for him; or if he would not open it, he would vote for the man who would. Nobody had suggested any better remedy for this than by making it not the interest of the candidate to employ his money in that manner.

CAPTAIN JERVIS said, the unfortunate borough which he represented (Harwich), having no supply of water, had, in consequence, an unusual number of publicans; and if that proposal were agreed to, a very great number of his constituents would be disfranchised. If voters were to be prevented from acting as poll-clerks, messengers, and the like, they would get their friends and relatives employment in these capacities, so that the object of the Amendment would be frustrated.

Amendment *negatived.*

MR. PAGET said, he would propose the insertion of words making it a misdemeanour for a person who had been hired by a candidate as an agent, attorney, poll clerk, messenger, door-keeper, &c., to record his vote at the election.

SIR GEORGE GREY said, the Select Committee had certainly recommended that such an act should be made a misdemeanour; but on consideration he had thought it better to declare that the vote should be void. It was, however, for the Committee to decide the point.

MR. COLLINS said, he thought it would be sufficient to impose a penalty of £5 or £10 upon such persons.

MR. ALDERMAN SIDNEY asked, whether the persons prevented from voting would be capable of enforcing their pecuniary claims against the candidates?

SIR GEORGE GREY said, that under the clause as it stood at present the person hired would be entitled to claim remuneration, but would be deprived of his vote. If the Amendment were adopted, which made the offence a misdemeanour, of course he would not be entitled to claim remuneration.

MR. DARBY GRIFFITH said, he should support the Amendment, which he thought would make the clause more efficient.

Amendment *negatived.*

MR. CAVE said, that he opposed the clause with some reluctance, because he fully admitted the magnitude of the abuses at which it was levelled; and when they heard of twenty-five solicitors employed on each side in a small borough, and changing sides with their retainers, it could not be doubted that such a state of things ought, if possible, to be put an end to; but the question was, whether this enactment would have the desired effect. He very much doubted it. Why were these solicitors paid? Was it for their own vote, or for those they could command? If, then, you struck off their vote, would you destroy their influence? If a man could bring fifty votes, would he be much less valuable with forty-nine? By the present law the procuring of votes for a fee is bribery, as much as voting for a fee, so that no new enactment is required. He quite admitted that the influence of solicitors over voters might be most oppressive, but the law already provided for this, and at any rate you did not prevent it by depriving the agent of his vote, or obliging him to act gratuitously. Was employing a solicitor or other agent for a fee bribery in itself or was it not? If it was, let them prohibit it, and make it fatal to the seat. If it was not bribery, but merely liable to abuse and extravagance, let them adopt the Irish law under the Acts 35 *Geo.* III., c. 4, and 1 & 2 *Geo.* IV., c. 58, and fix the number and the fees (as in case of polling clerks). This was recommended to the Committee as working well in Ireland. If this were objected to, then leave the law as it is, with the votes liable to be struck off on scrutiny; and let the Election Committee determine on petition whether the number employed is too great or fees too abundant; (this was done in the Oxford case when Mr. Neate was unseated); and especially let them inquire whether the agents have been in the habit of changing sides. His own experience was that agents were chosen in the same way as bishops and judges, not to buy their support, but on account of their declared opinions. He had never seen respectable solicitors accepting retainers from the opposite side, and it seemed hard to cast upon them the slur of disfranchisement and stigma of bribery and corruption. The result would probably be to throw the candidates into worse hands. Since he had given notice of this Motion a proposal had been made to him to amend the clause by striking out "agent attorney," and he admitted there was a broad distinction because it would be difficult to employ an attorney who was not a voter, and therefore a stranger might be brought down, and the House knew that the grossest cases of bribery had been by stranger agents. Still, he thought it unconstitutional to deprive the humbler voters of their franchise for no fault of their own. Unscrupulous people would easily evade the law by the payment of relations, as widows were put into post-offices to gain their sons' vote. An attempt was made to prevent this by 5 & 6 *Vict.*, c. 102, but the law could not be carried out. Again, the fee to solicitors for looking after the registration might be increased on the tacit understanding that they acted as election agents gratuitously. And by this clause a candidate might disfranchise his enemy's voters by employing them as messengers. If they aspired to protect the candidate, let them not saddle him with the charges which ought to be borne by the public. In other respects no one could protect the candidate but the candidate himself. There was no doubt he ought to pay nothing, and in former days when there was, as we read, as much disinclination to serve as Member for a county as there is now to be sheriff of a county, this was so. Things were much changed now, and where there were a few bridges and crowds pressing over them the tolls would be high, and when they heard of £600 a year paid by a distinguished statesman for a borough in the West of England, they could hardly wonder at the opinion prevalent among the poorer electors that Parliament was a lucrative appointment, to some of the crumbs of which they were entitled. Legislation on these points had been constant, spasmodic, and not successful; and when legislators themselves conspired to make legislation abortive, the case was exceedingly hopeless. It was for these reasons, that while fully admitting the evils which this clause was intended to meet, yet because he was afraid that it would not meet them, but would impose disabilities on honest men which the unscrupulous would evade, and because the same rule on this point could not hold good in constituencies widely differing in extent, and because he considered that an inoperative enactment was worse than none at all, that he ventured to move the omission of this clause, which was only a revival of the clause in the 7 & 8 *Geo.* IV., c. 37, which, on account of its unsatisfactory working, had been repealed by subsequent Acts.

Mr. J. J. POWELL (Gloucester) seconded the Amendment.

Sir MINTO FARQUHAR said, it was coming to this, that hon. Members must go down to their constituencies and be returned free of cost, solicitors, agents, and messengers, giving their votes and their services into the bargain; but they were really pushing the matter too far. He employed a respectable solicitor, and his Colleague, who sat on the Treasury Bench, did the same; and if he were in a solicitor's place, he would not like to manage an election and be either unpaid or disfranchised. The clause would lead to the employment of a clerk instead of his principal, and of a voter's son instead of the voter, so that the legislation proposed was mere subterfuge and sham.

Lord HENLEY said, he wished to diminish the employment of poor voters at election times, but at the same time he thought the clause severe, in depriving solicitors of their votes for managing an election. The management of elections was as much the part of attorneys as the drawing up of a conveyance. He would omit the words "agents and attorneys" from the clause, and retain the rest of it.

Mr. GATHORNE HARDY believed that political principle extended from agents down to the lowest person employed, and therefore he would support the omission of the clause. He trusted they would deal with the question as men of common sense, and not be led away by the desire to obtain a reputation for purity. Persons were employed at elections for their political principles, and it was for a Committee to decide whether there was corruption or not. Why deprive them of their votes because they were doing something to earn a livelihood in the vocation to which they were called? Was it to be expected that attorneys and agents would give up their regular businesses, and employ their clerks and others without receiving remuneration? It was sheer absurdity to expect it. However strong their political principles, they must naturally, if they gave up the regular work of their office, receive remuneration. The principle applied to all persons employed: if they did work, they had a right to be paid for it; and unless they were paid in such a manner as showed that they were paid with a corrupt purpose, their votes ought not to be struck out.

Mr. F. S. POWELL (Cambridge) observed, that the provisions of the clause had been enacted by Lord Althorp; but having been found inoperative, were afterwards repealed. They would inflict injustice on parties, and tend to degrade the character of the electors. They would introduce the elements of uncertainty in every case, and make a petition almost inevitable. One curious difficulty would arise from the clause. A petition must be presented within a certain number of days, while a longer period was allowed to elapse before the payment of election accounts, and thus petitions would be presented upon the chance of some ground for them being found in the accounts to be subsequently published.

Mr. VANCE said, he thought that the Government had brought forward the measure rather out of deference to the decision of the Select Committee than from any particular opinion of their own. His own experience of elections was, that high political principle was not confined to persons of high station, but was much oftener exhibited by those in a lower station of life. The clause was intended to disfranchise any one who accepted money from the candidate. The clause would be evaded, and by passing the clause they would add hypocrisy and evasion to the other crimes attendant upon elections. He considered that the law, as it at present stood, was amply sufficient to punish over-employment.

Mr. Alderman SIDNEY said, if that clause were struck out, the others would be of no use. If lawyers and political agents were expunged from the clause, it would be a great injustice on others. Lawyers were the great source of expense at elections. He once had the misfortune to canvass the city of Worcester. He employed fourteen solicitors—to whom he paid upwards of £500, and he lost the election. He now had the honour to represent a borough where he employed no lawyer and no paid agent, but trusted simply to the good common sense of the electors.

Mr. COLLINS said, he hoped that whatever course the Committee adopted with respect to the clause, it would deal out even-handed justice. It would be most unfair to disfranchise the humbler men who were employed at elections, and leave the attorneys and the higher class of agents in possession of their votes.

Sir GEORGE GREY said, the hon. and learned Member for Cambridge (Mr. F. S. Powell), had referred to the 7 & 8 *Geo.* IV., c. 37, in which a similar clause existed, and which Act had been repealed. It was true that the House declined to renew the Act until the whole subject had been inquired into by a Select Committee. A Committee did sit during two Sessions, and they reported that the repeal of the Act 7 & 8 *Geo.* IV. had been prejudicial to purity of election, and it was proved that since the repeal it had become the practice to employ large numbers of voters, not only as professional agents, but as doorkeepers and messengers, who, under the guise of payment for their services, actually received payment for their votes. All that the Legislature could hope to do in reference to the matter was to make bribery and corruption as difficult and their detection as easy as possible, and it was no valid objection to any provision suggested with that view that it was open to evasion. The Committee on which both he and his hon. Friend the Member for Leominster (Mr. G. Hardy) had sat, agreed in recommending the clause. He had not himself been present when that decision was come to, but his hon. Friend was there.

Mr. GATHORNE HARDY said, that though he attended the meeting of the Committee on the day in question, he was not present when the vote to which the right hon. Gentleman referred passed.

Sir GEORGE GREY said, that at all events those of the Committee who were present were unanimous in favour of the clause; and that being so, he felt that he was bound to propose the clause in deference to their opinion. The evil which it was intended to meet was clearly proved before the Committee, and since the Bill was printed he had received letters from persons in different parts of the country, who said they attached great value to this clause, because the practice extensively prevailed of giving colourable employment at elections to persons who were really paid for their votes.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 103; Noes 110: Majority 7.

AYES.

Atherton, Sir W.
Ayrton, A. S.
Aytoun, R. S.
Baines, E.
Baring, T. G.
Beale, S.
Black, A.
Blencowe, J. G.
Bruce, H. A.
Buller, Sir A. W.
Bury, Viscount
Butler, C. S.
Buxton, C.
Caird, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Childers, H. C. E.
Cobbett, J. M.
Colebrooke, Sir T. E.
Cox, W.
Davey, R.
Doulton, F.
Duke, Sir J.
Dundas, rt. hon. Sir D.
Egerton, E. C.
Enfield, Viscount
Evans, T. W.
Fenwick, H.
Fermoy, Lord
Fortescue, C. S.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W.
Glyn, G. G.
Goldsmid, Sir F. H.
Greene, J.
Gregson, S.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Gurdon, B.
Gurney, J. H.
Gurney, S.
Hadfield, G.
Handley, J.
Hankey, T.
Headlam, rt. hon. T. E.
Henley, Lord
Hutt, rt. hon. W.
Ingham, R.
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Layard, A. H.
Langton, W. H. G.
Lennox, Lord G. G.
Levinge, Sir R.
Lewis, rt. hon. Sir G. C.
Lewis, H.
Lindsay, W. S.
Locke, J.
Lowe, rt. hon. R.
M'Mahon, P.
Maguire, J. F.
Marjoribanks, D. C.
Martin, J.
Mills, J. R.
Mitchell, T. A.
North, F.
Packe, Colonel
Padmore, R.
Paget, C.
Paget, Lord C.
Palmer, Sir R.
Palmerston, Viscount
Peacocke, G. M. W.
Pease, H.
Peel, rt. hon. Sir R.
Pilkington, J.
Potter, E.
Pritchard, J.
Puller, C. W. G.
Robartes, T. J. A.
Robertson, H.

Russell, A.
Scott, Sir W.
Scourfield, J. H.
Seely, C.
Seymour, H. D.
Sidney, T.
Smith, A.
Staniland, M.
Stirling, W.
Stuart, Colonel
Sykes, Col. W. H.
Thompson, H. S.
Villiers, rt. hon. C. P.
Vivian, H. H.
Weguelin, T. M.
White, J.
White, L.
Wickham, H. W.
Williams, W.
Wood, W.
Wyvill, M.

TELLERS.

Mr. Brand
Sir W. Dunbar

NOES.

Addington, hon. W. W.
Baring, A. H.
Bathurst, A. A.
Beach, W. W. B.
Beecroft, G. S.
Bentinck, G. W. P.
Bentinck, G. C.
Blake, J.
Bramley-Moore, J.
Briscoe, J. I.
Brooks, R.
Browne, Lord J. T.
Buckley, General
Burghley, Lord
Burrell, Sir P.
Butler, J. H. A.
Cecil, Lord R.
Clifton, Sir R. J.
Clive, Capt. hon. G. W.
Cochrane, A. D. R. W. B.
Codrington, Sir W.
Cubitt, G.
Dalglish, R.
Dawson, R. P.
Disraeli, rt. hon. B.
Dodson, J. G.
Dunne, Colonel
Egerton, hon. W.
Ewart, J. C.
Ewing, H. E. Crum-
Farquhar, Sir M.
Farrer, J.
Fellowes, E.
Ferrand, W.
Gard, R. S.
Gaskell, J. M.
Getty, S. G.
Gore, J. R. O.
Gower, G. W. G. L.
Graham, Lord W.
Gray, Captain
Grogan, Sir E.
Haliburton, T. C.
Hardy, G.
Hardy, J.
Hay, Sir J. C. D.
Hennessy, J. P.
Heygate, W. U.
Hodgson, R.
Horsfall, T. B.
Hotham, Lord
Hubbard, J. G.
Humberston, P. S.
Hunt, G. W.
Jervis, Captain
Kelly, Sir F.
King, J. K.
Kinglake, J. A.
Knatchbull, W. F.
Lacon, Sir E.
Laird, J.
Lawson, W.
Leader, N. P.
Longfield, R.
Lygon, hon. F.
Malcolm, J. W.
Malins, R.
Manners, rt. hon. Lord J.
Martin, P. W.
Mitford, W. T.
Moffatt, G.
Montagu, Lord R.
Montgomery, Sir G.
Morris, D.
Mowbray, rt. hon. J. R.
Mundy, W.
Mure, D.
Northcote, Sir S. H.
Packe, C. W.
Parker, Major W.
Peto, Sir S. M.
Pevensey, Viscount
Powell, F. S.
Ridley, Sir M. W.
Rowley, hon. R. T.
Salt, T.
Sclater-Booth, G.
Selwyn, C. J.
Smith, S. G.
Somes, J.
Stackpoole, W.
Stanley, Lord
Steel, J.
Stuart, Lt.-Col. W.
Talbot, hon. W. C.
Taylor, Colonel
Tollemache, J.
Torrens, R.
Trefusis, hon. C. H. R.
Turner, C.
Vance, J.
Vandeleur, Colonel
Vansittart, W.
Walker, J. R.
Warner, E.
Watlington, J. W. P.
Western, S.
Whitmore, H.
Willoughby, Sir H.
Woodd, B. T.

TELLERS.

Mr. Cave
Mr. J. J. Powell

Clause 3 (Authorized Agents for Payment of Expenses).

SIR FITZROY KELLY said, he would move the insertion of the words "or cause to be made" after "make" in line 8, and after "payment" the words "advance, loan, or deposit." The object of the alteration was to meet any possible case, colourable or otherwise.

SIR GEORGE GREY said, he would accept the Amendment.

Amendment *agreed to.*

SIR FITZROY KELLY said, he would then move the insertion in line 10, after the word "election," of the words "before, during, or after such election."

Amendment *agreed to.*

Clause, as amended, *agreed to;* as was also Clause 4.

Clause 5 (Publication of Statement of Election Expenses).

MR. HUNT said, he objected to the length of time allowed for publishing election accounts. The period specified in the Bill was three months; and sometimes when Committees were inquiring into election proceedings, and a desire was expressed that the accounts should be produced, they were met by the statement that the time had not expired. To prevent such a state of things in the future, he proposed that the time be limited to two months.

THE ATTORNEY GENERAL was understood to assent to the proposed Amendment.

LORD ROBERT CECIL said, he would venture to suggest that for all practical purposes the legislation which was going forward might as well be carried on out of the House. The conversational tones of the Home Secretary and the hon. and learned Member for Durham (The Attorney General) prevented Members below the gangway from hearing a single word.

MR. F. S. POWELL observed, that the returning officer was to publish the statement "as soon as conveniently may be." A very wide scope for discretion was thereby given, and he suggested that some definite time should be named.

SIR GEORGE GREY replied, that the fixing of any definite time—say one or two months—would be accepted as the period within which publication was to be made, and would retard, instead of accelerating, the publication of the statement.

MR. F. S. POWELL said, he would move that "fourteen days" be inserted.

Motion *agreed to.*

Clause 5, as amended, *ordered* to stand part of the Bill.

Clause 6 (Section 14 of Corrupt Practices Prevention Act extended to Misdemeanors, &c).

LORD ROBERT CECIL said, he wished to ask for an explanation of the object of the enactment.

THE ATTORNEY GENERAL said, it was intended to get rid of a difficulty which had been found by the Court of Queen's Bench in construing a clause in the Corrupt Practices Act.

SIR FITZROY KELLY said, he desired to ask whether it was intended to apply a limitation of one year to prosecutions under that Act, and to place no limitation at all to prosecutions for offences at common law that might be committed at the same election.

THE ATTORNEY GENERAL said, it would be inconvenient to introduce into a Bill of that kind a limitation of the period during which prosecutions might be brought for common law offences, such as bribery. The Bill was not intended to interfere with the common law.

SIR FITZROY KELLY said, he thought it undesirable to leave a vindictive person the power either of prosecuting within a year under this Act, or beginning a prosecution at common law three or four or five years afterwards.

Clause *agreed to.*

Clause 7 (General Allegations sufficient in Indictments) *agreed to.*

Clause 8 (Evidence of Witness on Election Committee and before Commissions).

MR. LYGON said, he proposed to move the omission of the first part of the clause, which enacted that no person called as a witness before an Election Committee should be excused from answering any question on the ground that the answer might criminate himself.

Amendment proposed, in page 3, line 38, to leave out from the words "No person," to the word "himself," in line 40.

SIR GEORGE GREY said, that witnesses frequently refused to answer questions before Election Committees, and the Committees in consequence were unable to get to the bottom of the questions referred to them. It was then necessary to address the Crown for the appointment of a Royal Commission, by which considerable expense was incurred. If the power in question could safely be given to three gentlemen sitting as Commissioners, it could surely be safely exercised by a Committee of that House.

MR. LYGON said, he objected to the employment of the power either by a Committee or a Royal Commission. The principle sought to be established was a very dangerous one, and he should prefer to see it restricted rather than extended. He should certainly take the sense of the Committee upon the subject.

THE ATTORNEY GENERAL said, he was bound to admit that it was a departure from the ordinary rules of English law that persons should be bound, whether they would or not, to answer questions which might criminate themselves. But the proviso at the end of the clause laid down that no statement made by any person should, except in cases of indictment for perjury, be admissible against him. The clause was therefore disarmed of its sting. The Committee was aware of the almost insuperable difficulty there was in detecting corruption in the cases to which the Bill meant to apply, and it was therefore necessary to have recourse to such a provision as that which was now the subject of discussion.

MR. GATHORNE HARDY said, he had in Committee opposed the Resolution upon which the clause was formed, and he had still greater objections to the clause itself, because it was wider in its scope. The Resolution of the Committee was to the effect that no one should be allowed to refuse to answer a question which might tend to criminate him on the subject of bribery; but as the clause stood no one could refuse to answer any question on the ground that it would tend to criminate him. He contended that was too large a power to put into the hands of either a Committee or Commission. The Committee could not be called to account for giving or refusing a certificate, no matter how truly a witness might have answered. Prosecutions had been instituted in the Gloucester and Wakefield cases, and convictions had been obtained; but the feeling of the House and the country was against the proceedings, because it was felt that the persons had been trapped into an admission of guilt. It was true that the admissions were not actually employed as evidence against the gentlemen in the Wakefield case, but they were used in procuring testimony against them. The power which the clause would give he would not intrust to the Judges of the land, still less would he intrust it to a Committee or Commission. The provision was, in his opinion, more corrupt than corruption itself.

Mr. AYRTON said, he thought the power which the clause would give too large, because according to it a witness might be cross-examined on any point whatever. It would be necessary, therefore, to restrict the provision to cases of bribery. Then it was not compulsory on the Committee to give a certificate, it was only said it should be lawful for them to do so. Therefore, while the witness was compelled to make a disclosure, there was no guarantee that he should be protected. The effect of the clause would probably be that election agents would commit every possible offence; and if they could not keep everything hidden, they had only to make a full disclosure, and they would get an indemnity. The clause was so loosely drawn that the Committee could not pronounce an opinion upon it.

Sir GEORGE GREY said, that a good deal of misconception pervaded the minds of hon. Members from their confusing two subjects—the extension of the power proposed in the clause to Committees, and the retention of it in Committees who already possessed it. He was bound to say, that if they took away the power of sending down Commissioners to certain places where extensive bribery and corruption had existed, armed with authority to compel evidence to be taken subject to whatever indemnity they chose to give, they were screening bribery in the most effectual way they could. Their object ought to be, not only to make bribery as difficult as possible, but to afford all due facility for its detection. He did not believe that in recent cases the bribery would have been detected unless the Committees had been armed with the power of compelling evidence.

Mr. HUNT said, that the words in the clause were so large in their application that the sitting Member whose election might be under investigation by a Committee would be bound to answer any question put; and if the answer led to the loss of his seat, the proviso at the end of the clause would afford him no protection.

Mr. PEACOCKE said, he thought it ought not to be left to the discretion either of a Commission or Committee to give an indemnity. The grant of the indemnity should be obligatory; and if the person receiving it had not spoken the truth, he should be liable to an indictment for perjury.

Mr. BOVILL said, he did not regard bribery as a greater offence than larceny or murder, and the principle of the clause ought, in consistency, equally to apply to the latter crimes. If the Committee affirmed by legislation that persons answering all questions with respect to bribery should be protected, where could they stop? It was difficult to say, from the wording of the clause, whether those who would be compelled to answer would be certain of obtaining a certificate. Of all tribunals the least fit to be trusted with a discretion on such a point would be Commissions and Committees.

Mr. J. J. POWELL remarked that the clause merely effected the extension of a provision which had been in operation in this country for some time, and had produced most beneficial effects. His hon. and learned Friend appeared to forget the distinction between the cases of trial for larceny, murder, or other criminal offences, and the proceedings before these Commissioners, because while in the former case a particular individual was charged with a specific crime, in the latter there was no allegation of specific offences against individuals, but the Commissions were distinctly and essentially Commissions of Inquiry. All that was required from the persons summoned before the Commissioners was that they should honestly tell the truth. He thought these Commissions of Inquiry had done great good. In the case of Gloucester, he could testify to the good wrought to the borough by the Commission lately held there; but unless persons were compelled to answer questions, it would be of no use to send these Commissions into the country.

Sir FITZROY KELLY said, he thought that the granting of certificates ought to be imperative upon the Committee in cases in which witnesses had made a full and fair disclosure.

Sir GEORGE GREY pointed out that the part of the clause now under discussion did not raise the question to which the hon. and learned Gentleman had referred.

Mr. COLLINS said, he thought that the whole of the clause ought to be struck out.

Mr. LYGON said, that he should persevere with his Amendment.

Question put, "That the words 'No person who is called as a witness' stand part of the Clause."

The Committee *divided*:—Ayes 104; Noes 96: Majority 8.

House *resumed.*

Committee report Progress; to sit again on *Friday.*

BIRTHS AND DEATHS REGISTRATION (IRELAND) BILL—[BILL 9.]

CONSIDERATION.

Bill, as amended, *considered.*

Two Clauses *added.*

Clause 23 (Appointment of Registrars).

LORD NAAS said, he desired that the Bill should be assimilated to the Act in force for England and Scotland with regard to the appointment of the officers under the Bill—namely, to vest the appointments in the boards of guardians. He would, therefore, move the insertion of words in Clause 23 to meet that object.

Amendment proposed,

In page 7, to leave out from the words "The medical," to the word "district," in line 35, both inclusive, in order to insert the words "The guardians of any union shall appoint a person with such qualifications as the Registrar General may, by any general rule declare to be necessary, to be Registrar of Births and Deaths in each district, and in any case of vacancy in the office of Registrar, shall forthwith fill up the vacancy,"

—instead thereof.

SIR ROBERT PEEL said, the question had already been considered by the House, the general opinion of which was in favour of the employment of medical officers.

MR. M'MAHON said, there was no provision in the Bill that there should be a certificate prior to every burial, as in England. He approved the Amendment.

MR. MAGUIRE said, he thought the Government were quite right in their proposal, and that the English system never could be adopted in Ireland.

COLONEL DUNNE said, he could not conceive a more clumsy or ill-drawn measure. Every clause had been forced on in the absence of many Irish Members, and on every clause the majority of Irish Members present had been against the Government. He did not see why the Irish people should not choose whom they pleased for registrars, and he should support the Amendment.

COLONEL VANDELEUR said, he took a different view of the immediate question before the House. He had reason to believe that the appointment of the medical officers as registrars in Ireland would prove most popular in Ireland.

MR. DAWSON said, he hoped that the right hon. Baronet the Chief Secretary would not yield to the objections to the Bill.

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided*:—Ayes 78; Noes 40: Majority 38.

Schedule amended.

Bill to be read 3° *To-morrow.*

POST OFFICE SAVINGS BANKS BILL.

[BILL 22.] COMMITTEE.

Order for Committee read.

SIR HENRY WILLOUGHBY said, he wished to call attention to what he considered to be two serious defects in the Bill. The one was the omission of a provision respecting the property of minors; the other was the want of a more convenient arrangement respecting the signature of trustees in the case of the paying out deposits.

THE CHANCELLOR OF THE EXCHEQUER said, he merely proposed that they should go into Committee *pro formâ*, and he did not intend to proceed with the consideration of the clauses until he had seen the deputations which he believed intended to wait upon him on the subject.

MR. HUBBARD said, that the Two-and-a-half per Cent stock, one of the species of stock which it was proposed to invest the funds in, stood at a less value by three-quarters per cent than the Three per Cent Reduced, or Three per Cent Consols. The Terminable Annuities also was not a favourite stock. He thought that the Bill ought to be confined to its three first clauses, and that the other two were not consistent with the declared object of the measure. If the Government chose to diminish the public debt, it should be done in a fair and open manner and with the intention of discharging the debt. He had a very strong objection to misleading the country by falsely discharging the debt under the name of an annuity.

Bill *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

ADMIRALTY COURT (IRELAND) BILL.

Bill to alter and amend the procedure and practice of the Court of Admiralty in Ireland, *ordered* to be brought in by Mr. MAGUIRE and Mr. LONGFIELD.

Bill *presented*, and read 1°. [Bill 45.]

ASSURANCES REGISTRATION (IRELAND) BILL.

Bill for the Registration of Assurances in Ireland, *ordered* to be brought in by Sir ROBERT PEEL, Sir GEORGE GREY, and Mr. SOLICITOR GENERAL.

Bill *presented*, and read 1°. [Bill 46.]

INLAND REVENUE AND CUSTOMS DEPARTMENTS.

Select Committee on the Inland Revenue and Customs Departments *nominated*:—Mr. HORSFALL, Mr. PEEL, Mr. HANKEY, Sir HENRY WILLOUGHBY, Mr EDWARD PLEYDELL BOUVERIE, Mr. CHARLES TURNER, Mr. MILNER GIBSON, Lord ROBERT MONTAGU, Mr. WILLIAM FORSTER, Sir STAFFORD NORTHCOTE, Mr. HENNESSY, Mr. LIDDELL, Mr. LAIRD, and Sir WILLIAM HAYTER:—Power to send for persons, papers, and records; Five to be the quorum.

NAVY (PROMOTION AND RETIREMENT).

Select Committee on Navy (Promotion and Retirement) *nominated*: — Mr. WALPOLE, Sir FRANCIS BARING, Sir JOHN PAKINGTON, Lord CLARENCE PAGET, Sir JOHN HAY, Mr. STANSFELD, Sir JAMES ELPHINSTONE, Mr. AYRTON, Sir HENRY WILLOUGHBY, Sir HARRY VERNEY, Sir WILLIAM MILES, Mr. FINLAY, Mr. MAGUIRE, Mr. DODSON, and Mr. SCOURFIELD:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, March 3, 1863.

MINUTES.]—PUBLIC BILLS —*Second Reading.*—Bills of Exchange and Notes (Metropolis) (No. 26).

Committee. — Naval Coast Volunteers Act Amendment (No. 19).

Report.—Naval Coast Volunteers Act Amendment (No. 19).

Third Reading.—Prince and Princess of Wales' Annuities (No. 24); Bills of Exchange and Notes (Metropolis) (No. 26), and *passed.*

METROPOLITAN RAILWAYS AND THE DWELLINGS OF THE POOR.

THE EARL OF SHAFTESBURY *presented* a Petition from certain persons, parishioners of St. Luke's, Chelsea, against the London Railway (Victoria Section) Bill. The petitioners stated that this project of railway extension would materially interfere with St. Simon's Church and its parsonage, which had been erected at the expense of two benevolent gentlemen; and it also proposed to lay violent hands upon Sloane Square, which was the only open space in the neighbourhood, and to construct in it a large station. He fully sympathized with the petitioners, and would urge upon their Lordships' to take such measures as they thought best to prevent these new metropolitan projects from interfering with the few open spaces left for the health and recreation of the inhabitants. If this scheme were sanctioned, there would in a few years be in this neighbourhood a population as dense as that in Clare Market, without a single breathing space. More than this, it would lead to the destruction of not less than 1,000 houses occupied by the labouring classes, for whose accommodation the railway company proposed to make no provision, "because no inconvenience is apprehended." No notice had been given to these persons that their houses would be required, and probably they would know nothing certain about the matter until ten days before their dwellings were pulled down. It was, he thought, incumbent upon Parliament to see that the pressure put upon the masses of the population, owing to the powers granted to railway companies in the metropolis, should be obviated as far as possible, and that they should be compelled to give to the occupiers of small tenements the same notice which was now given to proprietors. In conclusion, he should move that the petition be referred to the Committee sitting upon the Bill.

Motion *agreed to.*

PRINCE AND PRINCESS OF WALES' ANNUITIES BILL—[NO. 24.]—THIRD READING.

Order of the Day for the Third Reading and the Lords Summoned, read: *Moved,* That the Bill be now read 3ª; *agreed to:* Bill read 3ª accordingly, and *passed.*

BILLS OF EXCHANGE AND NOTES (METROPOLIS) BILL—[NO. 26.]

SECOND AND THIRD READING.

Bill read 2ª (according to Order); Committee *negatived;* Standing Orders Nos. 37 and 38 *considered* (according to Order), and *dispensed with* on the said Bill: Bill read 3ª, and *passed.*

House adjourned at a quarter past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 3, 1863.

MINUTES.]—SELECT COMMITTEE.—Forest Rights (Essex), *appointed; List of Committee.*

PUBLIC BILLS. — *First Reading.* — Metropolis Turnpike Roads Act Amendment [Bill 47].

Second Reading. — Municipal Elections [Bill 19], *negatived.*

Considered as amended —Union Relief Aid Act (1862) Continuance [Bill 44].

Third Reading.—Births and Deaths Registration (Ireland) [Bill 9], and *passed.*

REGENT CIRCUS RAILWAY BILL.

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HARVEY LEWIS said, that in pursuance of his notice he rose to move that the second reading be deferred for six months. The scheme proposed by the Bill was precisely one of those which ought to be referred for investigation to a Royal Commission. He had no desire to obstruct any measure that would have the effect of relieving the traffic of the metropolitan streets; but he considered that the Bill would have a diametrically opposite effect, that it would destroy the appearance of the streets over which the railway was proposed to be carried, and that it would seriously damage a vast amount of property in the metropolis. It proposed to create a nuisance worse than Holborn Hill, by stopping up seven streets, and raising Euston Road eleven feet, with a gradient of one in thirty. Euston Road was one of the great main arteries of the metropolis, and that and similar wholesale interference with property and public convenience had roused the important parishes of St. Pancras and St. James to petition against the Bill. Mr. Bazalgette, the engineer to the Board of Works, reported that it would materially affect the sewage of the districts through which it passed. On that subject the provisions of the Bill were altogether silent, and there was apparently an intention to cross numberless existing streets upon the level. Though the railway was to start from the terminus of the Great Northern Railway, it did not appear that that company were in any way promoters of the line. It had no western terminus at all, but proposed to stop short in the immediate neighbourhood of the Regent Circus, in the middle of the small streets surrounding Coventry Street and Windmill Street, from which it was difficult to imagine how the traffic would ever escape. In conclusion the hon. Member moved that the Bill be read a second time that day six months.

LORD FERMOY seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

MR. ROBERTSON said, that although he had but recently had the honour of being elected a Member of that House, he had long been a practitioner before its tribunals, and he had never known a case in which justice was suddenly and impatiently refused as was proposed by this Amendment. The railway invasion of the metropolis was a bugbear which had been conjured up to frighten the House. Of the twenty-eight schemes originally contemplated only nineteen referred to the northern side of the Thames, and of these six had perished by their own weight. Four more had no new works in view, but related merely to internal arrangements by the railways themselves. Of the remaining nine, three were merely junction lines, of perhaps a few chains in length, and mostly outside the metropolis, and one (the Ludgate station) was not a new work, having been already sanctioned by Parliament in connection with the London, Chatham, and Dover Railway. Deducting these four from the residue of nine, there remained five Bills, of which four had been already read a second time either in that House or in the House of Lords. So that the Regent Circus Railway Bill now under consideration was the only one of the twenty-eight left, and a simpler case a Committee would never have been called upon to deal with. There was really nothing in its circumstances to call for exceptional legislation. By arrangements entered into with the Great Northern Railway, it would only be necessary to raise the Euston Road to the extent of one in sixty, and one side would be allowed to remain at its present level. It was a mistake to suppose that there would be any crossings on the level in the vicinity of Coventry Street; and power was expressly taken to widen Tichbourne Street, and to open out a new street leading into Regent's Circus. The line had been carefully laid out by Mr. Hawkshaw, with a view of avoiding any open spaces, and of letting light and air into the most crowded districts. The public advantages which had resulted from the construction of the Metropolitan Railway, and the public policy which dictated the Charing Cross Extension, showed clearly that the Regent Circus line ought to be made; and as for the alleged interference with property, the House knew that private interests were, if anything, too well protected. A tradesman, to his knowledge, had openly expressed regret and apprehension lest his premises should not be "injured" by a railway which proposed to purchase the house two doors lower down.

LORD JOHN MANNERS said, the hon. Member, although a new Member, was a skilful and able advocate and a sanguine man; but, in spite of his assurances that there was no cause for alarm and of the ingenious manner in which he had handled his statistics, he had not succeeded in dissipating the general uneasiness with regard to metropolitan railway schemes. If, as the hon. Gentleman said, so many Railway Bills had slipped through a second reading he could only say, more shame for the House of Commons; and if there were so many more undergoing consideration in another place, he hoped the House of Lords would do their duty better. As for those lines which he had called "junctions," he asked the House to take warning from the statement of the hon. Gentleman, and to beware how they sanctioned new lines entering the metropolis, which in the following Session they might be told contemplated little harmless "junctions," of which the principle had been already sanctioned. Then, as for the lines which had disappeared, he dreaded them quite as much as any which were then in full activity, for they would be sure to appear again; and if encouragement were given to such a project as that before them, the Thames would be crossed and London would be dotted over with railways in such a manner as would defy the ingenuity of the most skilful Railway Committee that was ever appointed. He knew nothing about that particular scheme, but in his opinion the House ought to act on the general and wise rule of rejecting every one of these metropolitan lines, in the hope that, even at the last moment, the Government would be roused to a sense of the importance of that great national question, and appoint a Commission to examine into the whole subject of intramural railway communication. If they failed to take it in hand, the next best thing would be for the Metropolitan Board of Works—who, thanks to the hon. Gentleman opposite (the Chairman of Committees), were empowered to act to a certain extent in these cases, and who were acquiring more and more the confidence of the public — to devote their attention seriously to the subject. But whichever course was adopted, he earnestly advised the House to adopt the recommendation of the Duke of Newcastle's Commission, and to agree upon some general scheme of metropolitan intercommunication which would satisfy the public convenience, without handing over the metropolis to the devices and conflicting designs of railway companies. He believed that in the long run the shareholders of these lines would have cause to congratulate themselves if the whole question of metropolitan railways were at the present moment postponed in order to the careful consideration of some general scheme.

SIR MORTON PETO said, that the borough he represented (Finsbury) was intersected by this railway from one end to the other. He had, however, told his constituents that he could not support the rejection of the second reading, but that he was ready to vote for referring that as well as all other metropolitan railway schemes to some tribunal competent to deal with the whole question.

MR. JACKSON said, that eight years before he was the Chairman of a Committee that sat on the subject of the overcrowding of the streets of the metropolis, and the conclusion that Committee came to was, that nothing but a system of railways would clear the streets and improve the means of communication. He therefore advocated the second reading of that Bill on principle; and if the Metropolitan Board of Works had any opposition to offer to the measure, they ought to appear before the Committee on the Bill in the usual way.

MR. DOULTON said, that after the modification by the House of their Standing Order, the Metropolitan Board of Works, being thereby enabled to oppose the Bill, immediately met and determined to offer to it all the opposition in their power. The scheme materially interfered with the drainage of the district through which it was intended to pass, and would cut through four of the principal sewers of the metropolis. He therefore trusted the House would save the Metropolitan Board of Works the expense of appearing before the Committee, by rejecting the Bill at that stage.

MR. LOCKE said, he could not see why London should be sacrificed to the convenience of travellers from the North. The House of Commons should do as they had done in Dublin, where nineteen different schemes for railways had been proposed. The Corporation of Dublin condemned those schemes, and said they would not have the city of Dublin cut into pieces in the way proposed. The proposed railway was to be part on the surface and part subterranean at the Euston road, which road the carriages must pass over. [MR. ROBERTSON: No; it is eighteen feet below the level.] It would pass above ground in Finsbury and below ground in Marylebone, which was peculiar, because Finsbury was higher than Marylebone. He opposed the Bill because the railway schemes had caused the greatest possible nuisance on the south side of the river. If they wished to have the same thing done on the northern side of the water, they would pass this Bill. It was said that the line was to be connected with the London, Chatham, and Dover line. The latter company was going to cross Ludgate Hill with one of those frightful viaducts now seen in all parts of the metropolis. But the hon. Member (Mr. Robertson) had stated a fact which was extremely important. Among the numerous Bills which he had mentioned, he had called the attention of the House to one, the Ludgate Station and Junction Railway, which was connected with the London Chatham and Dover Line. Now, the House would have an opportunity, before they gave their sanction to that Bill, to stipulate that the intended mode of crossing Ludgate Hill by one of those frightful viaducts should be given up, and it would be the duty of the Committee to which the Ludgate Station Bill was referred to attend to this question.

MR. RICHARD HODGSON said, he should support the Motion for the second reading, on the ground that he had not heard one word against the principle of the measure, that four other Bills of a similar nature had been passed by the House, and that Bill ought not to be treated in a different manner.

MR. TITE said, the Metropolitan Board had examined the proposed scheme, and looked upon it as one of the wildest that could be brought forward. They opposed it from the beginning, because the projected line would cut through four or five sewers, the whole area of which would have to be reconstructed. It would also cut through the great Holborn sewer. Another objection to it was, that it could not pass the Euston road without raising that road, seeing that the Great Northern Railway was on a level with the road, and it was impossible to penetrate below the level of the road because the Metropolitan Railway passed at that point. He therefore could not see how it was possible to commence the line. The scheme alluded to by his hon. Friend (Mr. Jackson) as having been recommended by a Committee eight years ago, was for a line running round London.

LORD FERMOY said, there was a general feeling that the metropolitan railways should be taken up by Government, or by anybody that could deal with them on a uniform principle. If there was the slightest intention on the part of the Government to carry the idea out, the House ought to reject the Bill before them on the second reading. By so doing they would not only be saving the inhabitants of a large district from a severe infliction, but would also save a great deal of money to the promoters of the Bill. It was quite clear that the proposed railway could not be worked on a uniform plan with the railways of the metropolis, because it was not constructed with any regard to the levels of other railways.

MR. MASSEY observed, that though it was usual to send private Bills to Select Committees, in order that their merits might there be decided on, there were, nevertheless, two sides to that question; for if it should appear that a scheme on its very face was objectionable in principle and faulty in detail, it would be unjust to pass the second reading, and thereby compel persons who were adverse to it to go to the expense of opposing the measure in Committee. The scheme was one of no ordinary character; it was not a question between competitive projectors, or one of compensation to landowners, but it was an attempt at constructing a railway to penetrate the very heart of the metropolis. It was a matter for great regret that, in the infancy of the railway system, some general comprehensive scheme had not been adopted by which an enormous destruction of property might have been saved and a vast outlay of money spared. He was inclined to think that such a scheme would now be found impracticable, but it might be possible within the limited area of the metropolis to devise such a scheme of railway accommodation as should satisfy the reasonable wants of the public and avoid all unnecessary interference with private property and vested interests. They had been told as a recommendation that the Bill was one of many schemes, the others having perished; and he must say that it was the most daring of those schemes, and seemingly promoted by no persons of responsibility. The line was described as one in connection with the Great Northern Railway. It was not, however, promoted by the directors of that railway, but by gentlemen of whom he (Mr. Massey) never had the advantage of hearing before. Those gentlemen came forward with a scheme traversing great streets and interfering with a vast amount of property, and not only greatly obstructing the public convenience, but creating unsightly excrescences to the great disfigurement of the metropolis. For these reasons, though he was extremely reluctant to refuse any one applying to that House an opportunity of being heard, still it appeared to him that it would be fruitless to send the Bill before a Committee; and as there was an almost perfect unanimity against it in the minds of gentlemen qualified to judge, he thought it was one of those exceptional cases in which the House should exercise its discretion, and decline to allow the Bill to be read a second time.

Sir JOHN SHELLEY said, he conceived that a strong case had been made out against the Bill, and the fact of the Metropolitan Board of Works being so strongly opposed to the Bill constituted a reason for not allowing it to go to a Select Committee. He had also received representations from many of his constituents adverse to the proposed measure; and though he was averse to refuse the promoters of Railway Bills a hearing, he thought the Bill ought not to be permitted to go any further.

Mr. MALINS observed that the line was not to be a subterranean line, but was to be executed in open cuttings; and he did not believe that the House would sanction a scheme by which Oxford Street was to be cut into trenches. He thought that Parliament should take some decided steps in order to manifest its determination that the metropolis should not be disfigured by these railway schemes.

Sir DE LACY EVANS said, his constituents, as far as he had ascertained their opinions, were strongly opposed to the Bill.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

IRISH BOARD OF FISHERIES.

QUESTION.

Mr. BLAKE said, he would beg to ask the Secretary to the Treasury, Whether his attention has been called to the fact of one of the defendants, in a fishery prosecution instituted by the Irish Board of Fisheries, having sworn at a trial which took place during the present month at Arthurstown, county Wexford, that Mr. James Redmond Barry, one of the Commissioners, had written to him to the effect "that he was not a party to the prosecution against him for alleged illegal practices, and that the said prosecution was an unfair proceeding;" and to inquire whether the Secretary to the Treasury has taken any and what measures in consequence of the above proceeding on the part of Mr. Redmond Barry?

Mr. PEEL, in reply, said, that Mr. James Redmond Barry, one of the Irish Fishery Commissioners, had written a letter to one of the defendants in a fishery prosecution by that Board, and tried at Arthurstown, to the effect that he was not a party to such prosecution, and that he thought it was an unfair proceeding. But that letter he (Mr. Peel) understood was intended to be a private communication. There was no doubt that under the circumstances Mr. Barry had committed a breach of duty, and the Board had passed a Minute recording their opinion that the letter ought not to have been written.

METROPOLITAN RAILWAYS.

QUESTION.

Viscount ENFIELD said, he wished to ask the President of the Board of Trade, Whether, considering the numerous schemes that are proposed for intersecting the Metropolis and its Suburbs with various lines of Railway, he will take into consideration the propriety of recommending the appointment of a Special Committee or Commission to investigate and report upon the same?

Mr. MILNER GIBSON: In reply to the question of my noble Friend, I have to state that it has not seemed expedient to the Government to appoint a Royal Commission for the purpose of inquiring the schemes now before Parliament for the extension of railway communication in the Metropolis. Some years since, indeed, a Commission was appointed to inquire into this subject, and they made a very elaborate Report, and it was the custom for many years of the Board of Trade to call the attention of the Committees on Railway Bills affecting the metropolis to that Report. But in certain important particulars Parliament has overruled the advice of that Royal Commission. There was one area in the metropolis which the Commission recommended should never be permitted to be invaded by any railway company. That sacred area, however, has been so invaded. Railway bridges which are at present in the course of construction over the Thames are at variance with the recommendations of the Commissioners: their Report has upon some points, nevertheless, been attended to. I am not quite sure what my noble Friend means by a "Special Committee" for inquiring into this subject. But if he means a Select Committee of the House of Commons, it would, of course, be for the House itself to consider whether such a Committee should be appointed. It is not, however, the intention of the Government to appoint anything in the shape of a Commission to inquire into this matter. But knowing the great importance of the subject, and the strong interest which is felt in the numerous metropolitan railway projects which have now to be considered by Parliament, I gave instructions to an officer of the Board of Trade to institute an inquiry into the general character of these schemes, and I have requested him to make a report upon a certain number of points of great public importance, which I thought he could deal with within a limited time; and when that report shall be made, I will lay it before the House. The House can then, if they should please, refer the report to the Committees on the groups of metropolitan railway schemes under their consideration. The report will contain such information upon the subject as it is in our power to bring before the House. Beyond presenting the report, the Department of Her Majesty's Government with which I am connected do not think it necessary to go. We have felt it to be our duty to furnish the Committee with all the information in our power. That must be my reply to the question which has been put by my noble Friend, and I hope the information the report will contain will be satisfactory.

DEVONPORT DOCKYARDS MEN.
QUESTION.

Mr. FERRAND said, he rose to ask the Secretary to the Admiralty, Whether the First Naval Lord did not receive a Deputation from the Dockyards men during his canvass at Devonport, for the purpose of hearing their complaints against the Regulation issued in October, 1861, which prohibits promotion in the Dockyards after the age of forty-five; whether he did not promise them a full inquiry into the operation of this Regulation immediately after the Election, with a view of its being rescinded if its effect was injurious to the Dockyards men; whether this promise was not in part fulfilled by orders being sent from the Admiralty to the principal officers of the Yards for a report of the working of the said Regulation; whether they had not replied, condemning the restriction as to age for promotion; and whether the Secretary to the Admiralty will place upon the table of the House the Instructions sent, and the reports of the officers thereon?

Lord CLARENCE PAGET, in reply, said, Sir Frederick Grey, when he was canvassing at Devonport, very properly refused to receive any deputation, or promise to redress any grievances. After the election was concluded, however, Sir Frederick Grey received a deputation, consisting of certain dockyards men, who complained of the restriction of the age of persons who desired promotion. Sir Frederick Grey brought the question before the Admiralty, who caused a report to be sent from the dockyards, and in no case did the dockyard authorities express a desire to rescind the objectionable regulation. With regard to the publication of the reports, I may state that they are regarded as confidential reports, and I must therefore decline to lay them before the House.

GRIEVANCES OF JOURNEYMEN BAKERS.—QUESTION.

Mr. DAWSON said, he would beg to ask the Secretary of State for the Home Department, Whether the attention of the Government has been given to the Report furnished by Mr. Tremenheere at the close of last Session, upon the grievances of Journeymen Bakers; and, if so, whether any course will be adopted to carry out the recommendations therein contained?

SIR GEORGE GREY replied, that the Report to which his hon. Friend had referred had been carefully considered, and a Bill upon the subject had been prepared, which would be shortly introduced.

CONVICT PRISONS.—QUESTION.

MR. HENRY SEYMOUR said, he would beg to ask the Secretary of State for the Home Department, Why Sir Joshua Jebb's Report on Convict Prisons, printed in 1862, had not been distributed to Members; and, in Return No. 33 of this Session on Ticket-of-leave men reconvicted in England and Ireland, whether the English Return includes, as the Irish one does, the cases of prisoners whose original sentence has expired previous to subsequent conviction?

SIR GEORGE GREY replied, that it was true the Report was printed last year, and hon. Members who required it might obtain it in the ordinary way.

SEIZURE OF GROWING CROPS IN IRELAND.—QUESTION.

SIR EDWARD GROGAN said, he wished to ask the Chief Secretary for Ireland, If he intends to introduce any Bill during the present Session to prevent the Seizure and Sale of growing Crops in Ireland?

SIR ROBERT PEEL, in reply, stated that it was the intention of the Government to introduce a Bill upon the subject to which the hon. Baronet had referred.

FOREST RIGHTS AND INCLOSURES.

SELECT COMMITTEE MOVED FOR.

MR. TORRENS said, he rose to call attention to the Reports of the Commissioners of Woods, Forests, and Land Revenues, reporting the sale of rights of the Crown in Waltham, Epping, and other forests in Essex, and to the fact that in consequence of those sales numerous inclosures had been made in the forests by the purchasers of Crown rights. Towards the end of the last Session, he had given notice of his intention to call attention to the subject, which he renewed at the beginning of the present Session. While his Motion referred chiefly to the past, that of the hon. Member for Maldon (Mr. Peacocke) referred altogether to the future. The Report of the Commissioners of Woods and Forests of last year showed that a number of inclosures had been effected by private individuals. He did not question the power of the Crown to dispose of its rights. What he complained of was, that the purchasers should possess themselves of the land over which the rights had been exercised by the Crown, and should deprive others of rights of pasturage which were at least as unquestionable as those sold by the Commissioners of Woods and Forests. The most grievous evil of all was the taking away of the right which the citizens of London had enjoyed from time immemorial to resort to the Royal forests in the vicinity of the metropolis for purposes of recreation. He agreed with what had been so emphatically stated in that House and elsewhere, that such inclosures were illegal. An Act passed in 1843, provided that no land within fifteen miles of London should be inclosed without the sanction of Parliament; and the same prohibition was extended by a subsequent Act to all common lands throughout the country. It might be said that these Acts did not apply to Royal forests; but he submitted, that when the rights of the Crown were sold, the land over which they had been exercised ceased to be Royal domain, and remained to be dealt with in the same way as other commons. When the forest of Hainault was disafforested by Parliament in 1851, due care was taken to preserve the rights of the public; but of one allotment of 600 acres, fifty acres were set apart for the public. In the case of another forest in Oxfordshire, disafforested in 1853, and of a third in Oxfordshire and Northamptonshire, clauses were introduced into the Acts providing that any person injuriously affected by the passing of the law should receive compensation. The same remark was applicable to other cases. In 1850 a Royal Commission was appointed, under an Act of Parliament, to inquire into the condition of the Royal Forests; and the Commissioners stated in their Report that the inclosures of which he complained were clearly illegal. Moreover, in the notorious case of Hampstead Heath, Parliament had over and over again refused to permit the lord of the manor to inclose. But the vast majority of purchasers of the rights of the Crown, mentioned in the Reports, were not lords of the manor, and they had still less right to interfere with the public interests. He might be told that the aggrieved parties could have recourse to the courts of justice. It appeared, from the Report of the Royal Commission, that the only court to which appeal could be made was the

Court of Exchequer. Would it not be a mockery to tell an artisan of London or a poor forester deprived of his rights, that he might go to that expensive tribunal to obtain justice; formerly there was a special court for the trial of forest cases, called the Verderer's Court; but it had fallen into abeyance for years, and there was now, practically, no cheap and easy mode of obtaining justice in such cases. The freeholders of the county of Essex ought to elect four verderers; but the vacancies caused by deaths had not been filled up, and now there was only one verderer, the high sheriff of the county. Again, he could not find that any publicity was ever given to the sale of Crown rights. An intending purchaser made a personal or written application to the Commissioners of Woods and Forests, and the bargain was soon struck. The fact of the sale was not made known until the purchaser proceeded to inclose. In one instance, that of Chigwell Forest, indeed, an inclosure took place without any purchase of the Crown rights or any application to the Commissioners. The incloser was a Mr. Hodson, who claimed to be lord of the manor, but his act was generally regarded as a most barefaced violation of the rights both of the Crown and of the foresters, and it had been made the subject of a correspondence with the office of Woods and Forests. No such case could have happened if there had been a careful administration of the Royal forests. Another point of complaint was that the rights of the Crown had generally been sold for a mere trifle. The Crown rights over 434 acres were sold to the Marquess of Wellesley for £1,890. In another case 695 acres were given for £3,349; and Mr. Money Wigram obtained 1,377 acres for £4,468. Altogether the rights of the Crown had been sold over about 4,000 acres, and the price obtained amounted to £18,500—a paltry sum for such a vast quantity of land, some of it very valuable. It had been the custom of late years to encourage the formation of peoples' parks in the metropolis, and large sums had been voted for that purpose; but most persons would far rather spend a day at Epping Forest than go through the humdrum of a promenade in one of those parks, however valuable such places might be in their way. Hundreds of thousands of the humbler classes in London were interested in the question, and vast numbers of excursionists were taken by railway and other conveyances to Epping Forest for recreation. In fact, the road thither on some fine days might be compared to the road to Epsom on a Derby day. The facilities for getting there by railway were being increased; and if the land were left open for the people of London to take healthful exercise upon it, there could be no doubt they would gladly avail themselves of the privilege. He had endeavoured to show that these inclosures were illegal, and at variance with the precedents set in regard to the other Royal forests. If he had shown that they were at variance with the case of Hampstead Heath, he thought he had done enough to induce the House to agree to his Motion for inquiry, for it was an inquiry only that he now sought. He would therefore conclude by moving for a Select Committee.

MR. COX, in seconding the Motion, said, that thousands of poor persons had signed petitions to that House praying for an inquiry into the manner in which inclosures took place in these forests. Speaking on behalf of those poor persons, he asserted that their only desire was to maintain the rights which the people had enjoyed for centuries in these forests, and that they had no wish to interfere with the rights of others. If the Committee were granted, he believed it could be shown by conclusive evidence that the inhabitants of the metropolis had long possessed the right of going upon the land in question, whenever they pleased, for fresh air and innocent enjoyment. Some years ago he had himself seen large processions of citizens, accompanied by barges fitted upon wheels, going from Mile End Road to Epping Forest and a place called Fairlop, where an immense oak stood—a custom which had existed for between one and two hundred years. He maintained that these lands belonged to the Crown; that those who had inclosed parts of them could claim no other right than that of turning out cattle to graze upon them; and that the people ought not to have their right of going there for recreation to use the word of the hon. Member for Maldon "filched" from them. It might be said that these inclosures took place with the consent of the Crown, but in the case of a recent inclosure of 101 acres at Chigwell, both the Crown and the Inclosure Commissioners had been set at defiance. Mr. Gore, of the Woods and Forests Department, was written to on the subject, and he replied that it was impossible for the Crown to raise the question in a court of law; and when the Inclosure Commissioners were next appealed to, they stated that they had no jurisdiction, and could take no steps in the matter. There were about forty other inclosures varying from a hundred down to as low as four and even two acres each which could be proved to be illegal; and the open land, on which the people had for ages taken recreation, was gradually disappearing. Surely, that was a state of things which the House could not refuse to inquire into, and thus set the question of right at rest now and for ever.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the legality of inclosures in Waltham, Epping, and other Forests in Essex, and to ascertain what steps ought to be taken to preserve the rights of the public, of the poorer foresters, and the inhabitants of the metropolis, within the Forests, as well as to inquire into their general management."

MR. PERRY WATLINGTON said, he could not but think that the proposal was of doubtful expediency—at any rate, he felt bound, upon the part of many of his constituents, to protest against the assumption upon which the Resolution was founded, that the inhabitants of the metropolis, or the public generally, had any legal right whatever over the wastes which were the subject of consideration. The question raised was a question of legal rights; legal rights had to be investigated; legal rights had to be respected; and it appeared to him that a court of law was a more fitting tribunal for this purpose than a Committee of the House of Commons. The House should at least know that this very question had been, last year, the subject of judicial investigation, and the result of that investigation before Justice Wightman was this—a verdict altogether adverse to the claims set up by the public over the waste. The question put by the learned judge to the jury was:—Do you find that, in the Manor of Woodford (a portion of the forest) there is a custom for the inhabitants of that manor to wander about over the waste for air and recreation? and the answer given by the jury was "No." Had, then, the inhabitants of the metropolis any right? What, too, was to be the full scope of this inquiry? During the last few years many inclosures had been made under grants from the lords of the manors, and many very handsome edifices had been erected upon them. The Infant Orphan Asylum at Wanstead, he believed, was an instance of this; the Merchant Seamen's Institution too, also in the same neighbourhood; and there were numerous villa residences of citizens scattered throughout the forest. Did the hon. Gentleman intend to inquire into the titles of all these properties—did he intend to put the proprietors to the annoyance, anxiety, and expense of defending their titles before his Committee? This could hardly be his intention, and yet the words of the Resolution seemed to intimate that it was. There seemed to be an impression in the House, that it would be desirable to keep all these open places uninclosed entirely for the benefit of the inhabitants of the metropolis, but surely it could not be the serious intention of the House to keep thousands of acres uncultivated, when a few hundred acres, well regulated, would suffice for this purpose. It could not be the intention of the House to neglect altogether the wishes of the inhabitants of the district itself—and entirely to forego the advantages of inclosure. It could not be the intention to declare those to be rights which a court of law held were not rights, or to appropriate for the use of the public that which the law said was the private property of individuals. The law declared that the ownership of the soil was in the lord of the manor, and the lord of the manor, with consent of the Homage, had power to make grants for inclosure. But when any district or parish was to be inclosed at once, then application was made to the Commissioners; an award was issued, allotments were set out to satisfy existing claims, and one allotment was made for the purposes of recreation for the people of the neighbourhood, varying in extent with the population of the parish. This arrangement had to be confirmed by Parliament, and it always had been confirmed until last year, when an exception, mentioned by the hon. Member for Finsbury, was made in the case of the parish of Chigwell. In this case the parish of Chigwell was compelled by a Committee of the House to give up fifty acres instead of five, and that for the benefit of the people of the metropolis; nor did fifty acres represent the whole extent to which Chigwell was mulcted before it could obtain the benefit of inclosure; these fifty acres were the best land on the waste, it had to be drained and levelled and fenced at the expense of the estate; so that Chigwell may be said to have paid the value of 150 acres of land of average value in the parish for the advantage of the power to inclose. Now, this was done entirely because the parish of Chigwell happened to be a pretty spot. Other parishes under exactly similar circumstances to Chigwell, with the exception of their beauty, obtained their inclosures under the very same Act, and were only compelled to give up five acres for recreative purposes for the inhabitants of their neighbourhood. It might be desirable that this fifty acres should be set apart, but it clearly was not just that one parish should thus pay so exorbitantly for an advantage, simply because it happened to be beautiful, while another parish could purchase the same advantage so cheaply. He quite agreed with the hon. Members who thought it desirable that there should be recreation grounds kept open for the people of the metropolis. He quite entered into the feeling of the hon. Member for Maidstone when he described the other day the pleasure he felt in seeing those people enjoying themselves in the forest; and although that enjoyment was not entirely without some drawback—for he found some of his church-going constituents rather scandalized at the joviality which characterized their proceedings on Sunday—yet he was free to admit that Epping Forest was a very proper place for such recreative grounds. The question, however, still remained—who was to find them? It was hardly right that private individuals should be compelled to give up their property for this purpose. The interests in what are now Victoria and Battersea Parks had no doubt been purchased, and so compensation should be given for rights appropriated for such purposes in Epping Forest. He thought it might be a proper subject for inquiry by the Committee, if appointed, how far the Crown was morally bound to provide such recreative grounds. His own opinion was, that when there were crown lands uninclosed in proper places, there tracts should be set out for the public use; but where it was desirable to take such recreative grounds from private persons—lords of manors—there compensation should be made from the revenues of the Crown.

THE ATTORNEY GENERAL said, he was bound to admit that there were many subjects which might be inquired into by Select Committees with great advantage, but among them certainly did not come technical and strictly legal rights. The objection which the Government entertained to the Motion, and had expressed to the hon. Gentleman who made it, was, that from the particular terms in which it was couched it sought very plainly to erect a Select Committee of that House into a court of judicature for the purpose of inquiring into, and expressing an opinion with reference to the rights of individuals and of the Crown. Nothing could be more inconvenient than such a course of procedure, and nothing more dangerous than the precedent which would be set if the House should accede to the Motion of the hon. Gentleman in the terms in which it was expressed. The hon. Member proposed that the Committee should inquire into the legality of recent inclosures. That was a strictly legal question. The inclosures were legal and justifiable in point of law, or they were not. If they were legal and justifiable, no ground of complaint could be made; but if they were illegal and could not be maintained, there was a proper tribunal to appeal to. That tribunal, unlike a Committee, would not exhaust itself with the mere expression of an opinion, but would record and enforce its judgment by ordinary process of law. An inquiry by a Committee, therefore, would not be efficacious even if convenient. But a Select Committee had not the powers and machinery of a court of law, even for the purpose of inquiry. It could not compel the attendance of witnesses, or administer an oath. The inquiry, therefore, would be defective as well as inconclusive in its result. He denied the existence of the rights which the hon. Member for Finsbury alleged. It was said the poor foresters had not the means of asserting and maintaining their rights in the Court of Exchequer, and therefore a Select Committee should be appointed. If that were so, Committees, already tolerably well occupied, would find a vast accretion of employment in inefficacious inquiries into the alleged rights of parties who were too poor to prosecute their suits in the ordinary courts of justice. He was not, however, disposed to deny that some inquiry was needed, and therefore he would make a proposition which he had already communicated to the hon. Member, and which he thought would satisfy all parties. Instead of the hon. Member's proposition he would suggest that a Committee be appointed—

> "To inquire into the condition and management of the Royal Forests in Essex, and into any inclosures which may have taken place therein since the Report of the Commissioners of 1850; and to consider whether it is expedient to take any steps for preserving open spots in such Forests."

MR. TORRENS said, he was quite willing to withdraw his Motion, and accept the proposition of the hon. and learned Gentleman.

Motion, by leave, *withdrawn.*

ROYAL FORESTS (ESSEX.)

SELECT COMMITTEE APPOINTED.

On Motion of *Mr. Attorney General,* Select Committee *appointed,*

"To inquire into the condition and management of the Royal Forests in Essex, and into any inclosures which may have taken place therein since the Report of the Commissioners of 1850; and to consider whether it may be expedient to take any steps for preserving the open spaces in the said Forests."

And on March 12 Committee *nominated,* as follow:—

Mr. TORRENS, Mr. ATTORNEY GENERAL, Sir JOHN TROLLOPE, Mr. BRUCE, Mr. WATLINGTON, Viscount ENFIELD, Lord LOVAINE, Mr. COX, Mr. GATHORNE HARDY, Mr. BUTLER, Mr. KER SEYMER, Mr. KINNAIRD, Mr. MACDONOGH, Mr. CALTHORPE, and Mr. PEACOCKE.

METROPOLIS TURNPIKE ROADS ACTS AMENDMENT BILL.

LEAVE. FIRST READING.

MR. GATHORNE HARDY said, that in the absence of the right hon. Baronet the Member for Petersfield (Sir W. Jolliffe) the cause of whose absence they all deplored, he rose to move for leave to introduce a Bill to amend the Acts relating to the turnpike roads in the neighbourhood of the metropolis north of the river Thames. The metropolitan roads had been under the charge of Commissioners, of whom the right hon. Baronet the Member for Petersfield was one, and upon former occasions turnpikes had been removed, and the charge of the roads transferred to the parishes. A Royal Commission which sat in 1859 recommended a large extension of that arrangement, and the Bill proposed to relieve fifty-one miles of road within the district governed by the Metropolis Local Management Act, by removing twenty-five turnpike gates, and fifty-six side gates, which were serious impediments to traffic. In order that any parishes which might be affected by the Bill should have an opportunity of stating their objections, he proposed to take the second reading before Easter, and afterwards to refer the Bill to a Select Committee, where all parties could be heard. Being a hybrid Bill, it would afterwards come before a Committee of the Whole House, so that there would be ample opportunities for the parishes to state their views. The hon. Member concluded by moving for leave to introduce the Bill.

SIR GEORGE GREY said, he had been in communication with the right hon. Member for Petersfield, whom he had assured of his cordial support in carrying out the object in view. The reference to a Select Committee would, he thought, meet all the objections that could be raised.

VISCOUNT ENFIELD said, that he thought the subject was in very good hands, and was glad to find it was intended to send the Bill to a Select Committee; but he wished to know whether it would be a Committee of thirteen or fifteen Members, or one of five Members. [Mr. GATHORNE HARDY: Of five Members.] That would meet all objection, as it would enable the parishes, some of which were grievously burdened, to appear and state their cases.

Motion *agreed to.*

Bill to amend the Acts relating to the Turnpike Roads in the neighbourhood of the Metropolis North of the River Thames, *ordered* to be brought in by Mr. GATHORNE HARDY and Sir WILLIAM JOLLIFFE.

Bill *presented,* and read 1°; and *referred* to the Examiners of Petitions for Private Bills; and to be *printed.* [Bill 47.]

MUNICIPAL ELECTIONS BILL—[BILL 19.]

SECOND READING.

Order for Second Reading read.

MR. COX said, he rose to move the second reading of this Bill, the object of which was to permit voting by ballot at municipal elections.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR GEORGE GREY said, he thought some explanation of the Bill ought to be given. He believed it was intended to allow votes to be taken by ballot in municipal elections, but it appeared that the hon. Member who had introduced the Bill was not present.

MR. GATHORNE HARDY moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

MR. W. WILLIAMS said, the Bill was a mere supplement to an Act which had been passed some time previously for the election of Select Vestries. The vestries so elected had worked remarkably well.

LORD JOHN MANNERS said, that if the House passed the Bill, they would probably soon be told by the hon. Member for Bristol (Mr. H. Berkeley), that a Bill authorizing vote by ballot at elections of Members of Parliament was only a complement of an existing Act. Therefore he would cordially support the Amendment.

MR. H. BERKELEY said, that he regarded the Bill as a step in the right direction, and he should certainly vote for it. He hoped to see an extension of the principle to Parliamentary voting.

MR. KINNAIRD said, he thought it would be unusual in the absence of the hon. Member for Truro (Mr. A. Smith), who had charge of the Bill to meet it with the Amendment which had been proposed. The absence of the hon. Member was accidental, arising from the sudden postponement of a Motion that had been expected to occupy some considerable time.

MR. PAGET said, that in his opinion Parliament might very properly put the system of vote by ballot to the test in the proposed instance. If it failed, the general application of the system would not of course be persisted in; but if it succeeded, as he believed would be the case—though any man must be presumptuous who spoke confidently about the success of new systems — then an unanswerable argument would be supplied for its further extension.

MR. LOCKE said, he should be sorry if they were to go to a division on the second reading of the Bill without anything more being said upon the subject. There was a great distinction between the Bill before them and the Bill of the hon. Member for Bristol (Mr. H. Berkeley), because at that time in all the large parishes in the metropolis the votes were taken by means of voting papers. There was therefore no novelty in the proposition, and the object was merely to extend to municipal elections in small boroughs in the country, where a great amount of bribery, drunkenness, and intimidation, or at least cajolery, took place, a system which had worked most beneficially in the motropolis. He thought that when the hon. Member for Leominster (Mr. Hardy) moved the Amendment, it was not because he had well considered the subject of voting by ballot in municipal elections, but on account of the horror he entertained of the ballot in the abstract. He (Mr. Locke) was of opinion that it would be extremely unfair not to read the Bill a second time, seeing that it was distinct from the general Bill for the application of the ballot to the election of Members of Parliament, and that the objections to it, whatever they might be, would be more appropriately dealt with in Committee.

MR. AUGUSTUS SMITH said, he must admit that the Bill was intended in a great measure to be auxiliary and supplementary to the general question of the ballot, but at the same time the adoption of the principle was proposed to be altogether voluntary, and he thought that that would remove many of the objections to it. He had been a complete convert to the ballot, from what he witnessed at an election in which he was himself concerned immediately after the passing of the Reform Bill, though he did not attribute to it all the great advantages that some of its advocates thought it would be likely to produce. He believed that much of the success of the system would depend upon the constituency upon which it might be tried, but that a great deal more would depend upon the machinery by which it might be carried out. He also felt that it was very undesirable that any plan should be adopted as regarded Parliamentary representation which might afterwards prove a failure; but the proposed measure would, he hoped, afford a satisfactory test of the system of ballot voting. Nothing could be worse than the present mode of conducting municipal elections; and if the House had any regard for the character of local government, they ought to pass some measure to correct and counteract the malpractices, which had been growing worse and worse every year. Hon. Members had only to refer to the evidence taken before the Committee of the other House of Parliament in 1859, for a description of all the evils of the present system. It was true that the object of that Committee was to show the country that they ought to be very careful how they lowered the Parliamentary franchise; but the evidence proved the necessity for some alteration in the manner in which municipal elections were conducted. He proposed that the town council should have the power of taking the votes by ballot in whatever way they pleased; but that having adopted the system, they should adhere to it for five years. The Bill was entirely of an experimental character, and he hoped the House would allow it to be read a second time.

VISCOUNT PALMERSTON: Sir, I have always been an opponent of the ballot; and the mover and supporters of this Bill very fairly avow that this is the first step towards proposing the ballot for Parliamentary elections. One hon. Member has told us that it is ancillary and supplementary to a proposal for vote by ballot; and as I should on any occasion when such a proposal came before the House vote against it, I can have no hesitation in supporting the Amendment of the hon. and learned Gentleman opposite to delay the second reading till this day six months. Every argument that I have heard adduced in favour of this Bill could be adduced in favour of vote by ballot at Parliamentary elections ; and the objections which I have always felt and often stated to such a mode of voting at Parliamentary elections apply in principle to the present proposal, because the election of a municipal body is a political election. It has not the same political importance as an election of Members of this House, but there is no question that it is a political act. The principle of my objection, which I think a sound one, is that no man should in this free country perform a political act without its being known to his fellow-citizens how he performs it—that he should bear the responsibility for good or evil of the act which he has thought fit to do. I think responsibility ought to go hand in hand with political action. The object of the Bill is to withdraw the conduct of voters at municipal elections from public observation —to make their voting secret, and therefore to divest them of that responsibility which I think under a free constitution ought to follow every political act. I shall therefore vote against the Bill, and support the Amendment.

Question put, "That the word 'now' stand part of the Question."

The House *divided* :—Ayes 58 ; Noes 93 : Majority 35 :—Words *added*.

Main Question, as amended, put, and *agreed to* :—Bill *put off* for six months.

House adjourned at a quarter after Seven o'clock.

HOUSE OF COMMONS,

Wednesday, March 4, 1863.

MINUTES.]—PUBLIC BILLS—*First Reading*—Elections during Recess [Bill 48] ; Borough Residence Measurement [Bill 49].

Committee—Register of Voters [Bill 25] ; Salmons Fisheries (Ireland) [Bill 1], *Debate adjourned*.

Third Reading.—Qualification for Offices Abolition [Bill 4], and *passed*.

QUALIFICATION FOR OFFICES ABOLITION BILL—[BILL 4.]

THIRD READING.

Order for Third Reading read.

MR. HADFIELD said, that he supposed the comparatively large attendance of hon. Members was to be attributed to the opposition which was intended to be given to this Bill. Four times this Bill passed this House, and had been supported on each occasion in both Houses by Her Majesty's Government ; and he was in the position so unusual to a private member, of asking the House, for the fifth time, to read this Bill a third time. It had also been supported by no less than seventy-two Peers of the realm, including many persons highly honoured in the land. The noble Earl who was at the head of the Conservative party had said the declaration which this Bill sought to abolish was of no real importance to the Church, and the right hon. and learned Member for the University of Cambridge had admitted the same in that House. The declaration which persons were at present obliged to make on taking office afforded really no protection to the Church, and was irritating alike to friends of the Church and to Nonconformists. Was there to be one law for one class and another for another class of Her Majesty's subjects ? Did the Ministers of the Crown sign this declaration ? The Home Secretary of Her Majesty's late Government had stated that he had not signed it, and he (Mr. Hadfield) believed that nine persons out of ten who took office did not subscribe unto it. Two years ago he had the honour of moving for a Return of all persons who had taken office within the last ten years who had not taken this declaration, but the Motion was opposed on the ground that those who had omitted to do so might be subject to the penalties prescribed by law. He held in his hand the Indemnity Act, 1858, introduced by the right hon. Member for Cambridge, which enlarged the time for making this declaration for the benefit of those who had neglected to do so, through ignorance of the law, absence, or other unavoidable cause. He would not ask the right hon Member whether he had made and signed the declaration. He would presume he had done so ; but he would assert his belief that none of the right hon. Member's colleagues (except Judges and Magistrates) had done so ; and even Gentlemen learned in the law had had the benefit of being ignorant of the law, to escape the obligation of signing this obnoxious and offensive declaration. He believed that among those who had not so subscribed were Members who had held the highest offices in the State, and who were yet about to oppose this Bill, and to perpetuate the obligation on others. Magistrates and members of municipal corporations were obliged to subscribe to the declaration at once, but Ministers of the Crown did not make it at all, and were supposed to be indemnified. Therefore, there was one law for one class and another and offensive law for another class. He trusted that this remnant of intolerance would be swept away. The rejection of this Bill, he believed, would cause much dissatisfaction among the great body of Dissenters. He warned hon. Members that it was the reverse of wisdom to rouse a spirit of religious discord by rejecting this Bill, and evoke a crisis to be deprecated by all.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. BAINES begged to second the Motion, and said that hon. Gentlemen opposite might not only gracefully but safely and wisely grant this small measure of relief to those who felt this declaration to be derogatory and oppressive. He could not understand how men of high feeling and great talents could sustain a declaration like that in question. The persons to whom the Bill applied would have no ecclesiastical power whatever, and it was worse than useless to maintain a declaration which, while it was no defence to the Church of England, was offensive to a large portion of the community. He had never known a Dissenter being prevented by the declaration from taking office, except one, and he was one of the most conscientious men he had ever met with. Every concession made to Dissenters only added to the strength of the Church of England, while every unnecessary restriction that was maintained tended to weaken her. He hoped, therefore, the House would consent to the reading of the Bill a third time.

Mr. NEWDEGATE begged to move that the Bill be read a third time that day six months. He rejoiced that the hon. Member for Sheffield had at last broken the silence he had so long maintained. But he found that, previous to the second reading of this Bill, a statement which he held in his hand, which contained the substance of the speech of the hon. Member, had been widely circulated. He opposed this measure, on the ground that it proposed, by abolishing the necessity for the making and subscription of the declaration contained in the Test and Corporation Act, to break a compact made thirty-five years ago, and which had been renewed in all the Acts of Parliament which had since passed, for granting relief and privileges to Dissenters, Roman Catholics, and Jews. In 1828 Lord John Russell said—

> "After deeply considering the declaration proposed, I feel bound to say that I do not find it imposes any restraints on the religious liberty of individuals. It merely restrains them from exercising any influence which they may obtain, by virtue of any office to which they may be appointed, to weaken the Established Church, or to subvert its legal rights and privileges. I therefore am of opinion that it would be extremely unadvisable in me to propound or to maintain any objection to the declaration which has been proposed. On the contrary, it would be extremely wrong in me not to admit it into the Bill as a very essential means of pacifying the country on this most important subject." [2 *Hansard*, xviii. 1330.]

This was the opinion of the leader of the the Liberal party when he entered into the compact. Now, it might be asked, were the circumstances in the moral condition of the country so changed now that this declaration had become unnecessary? The reverse of this was notoriously the case. There were two classes of Dissenters; one were satisfied with the religious liberty they enjoyed; the other aimed openly at the destruction of the Established Church, and wished to deprive her of a great part of her property. Lord Teynham, in 1860, said the great objection to the declaration was—

> "That the words were ambiguous and ensnaring to the conscience; and some doubted whether, after having taken such an oath, they could with an easy conscience petition for the abolition of Church Rates, on the ground that such abolition might be considered as tending to injure and weaken the Established Church; and others, who could enter a corporation with a good conscience, and petition against Church Rates, thinking that their abolition would be an addition to the strength of the Establishment, might have it unjustly imputed to them that they had violated their oaths." [3 *Hansard*, clvii. 1009.]

After this announcement from the noble Lord, who in that year moved the second reading of the Bill in the House of Lords, the Peers awoke; for it had then become evident that the object of abolishing the declaration was not to relieve the conscience of individuals in their private or in their corporate capacities, for in such capacities the declaration does not affect them, but to enable persons in corporations to use that corporate power to attack the Church of England. The Bill for the Commutation of Church Rates which stood in his name afforded sufficient proof that he was actuated by no other spirit than a desire as far as possible to consult the feelings of his Dissenting fellow countrymen. In the year 1859 hon. Members left him alone in opposition to the measure; he rejoiced to see that the benches, then so empty, were now so full.

Mr. SELWYN begged to second the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

The CHANCELLOR of the EXCHEQUER: Sir, I am unwilling to give to this measure only such support as is accorded by a silent vote, because I confess I not only feel myself bound by former acts and present convictions to vote in its favour, but I cannot help expressing my very great regret at the error which I think the hon. Gentleman opposite has committed in opposing the Bill. The hon. Gentleman who has moved that the Bill be read a third time this day six months has founded his objection on this ground—that the present arrangement is an arrangement in the nature of a compact. I do not deny that there are certain Acts of Parliament which may more or less approximate to the character of a compact, but that doctrine, even in its application to particular cases, ought to be treated with great jealousy, because the effect of it would be to throw into abeyance the whole power and responsibility of the Legislature for the time being. It is a very difficult and dangerous doctrine to hold that there may be arrangements made by former Parliaments in matters of general legislation. I do not refer to Acts which contain particular promises to particular persons for particular purposes; but it is exceedingly difficult to contend that it is competent for the Legislature, at a given moment, to tie up the hands of the Legislature of a subsequent period, which must always remain under the paramount obligation of determining what is for the interests of the country at that period. I must say, I have rarely known a case in which the argument of a compact has been more hardly dealt with than in the present instance. The hon. Gentleman has quoted the words of Lord John Russell to show that this is a matter of compact. I cannot admit that it was in the power of my noble Friend (Earl Russell), even if he had the inclination, to give the character of a compact to such a declaration; but there is not the slightest evidence that such was his intention.

The words simply amount to this—that the arrangement then proposed was a fair arrangement for the then Parliament to make. There is no evidence that he accepted it as a perpetual and unalterable settlement, in which light the hon. Gentleman now urges it as an objection to the Bill. But if there be nothing in the nature of the case that affixes to it the character of a compact—and I, for my part, would say that the nature of the case almost defies the idea of a compact—I ask the House to consider the policy of the question. And here I place myself in the position of one, who in addition to his general duties as a Minister of the Crown and Member of Parliament, has a special duty as the representative of a large portion of the clergy of the Church of England; and I confidently say, holding the language I have held ever since I had the honour to represent them—now a period of fifteen years—that no benefit accrues to the Church of England from the maintenance of such a declaration. For what does this declaration do? I do not deny that in 1828 it was wise of Lord John Russell, or of those who supported him, to accept the declaration; but the circumstances of 1828 were different from those of 1863. Look at the changes which have occurred in our legislation—the admission of the Roman Catholics to Parliament, the admission of the Jews. Look at the manner in which, since 1828, the whole system of the administration of the State has been altered—how it has been founded upon the general recognition of the equal civil rights of the members of all religions. I admit this declaration does contain in it more or less an acknowledgment of civil inequality. It does constitute a civil inequality when certain persons are singled out to make a declaration limiting, or tending to limit, the discharge of their obligations as Members of Parliament, or as holders of any other office of trust. But let me look at this declaration as a security. If it be a security, it is one which each person may interpret for himself; and I must confess it appears to be such that, while it may possibly fetter the hands of a very scrupulous man, those persons who assume to themselves an ordinary freedom will find very little difficulty in exercising under the pressure of it nearly all the liberty which they would exercise even if there were no such restraint. Now, it is not good policy to depend upon declarations the whole force of which depends upon private interpretation, and is not sufficient to bind many persons, though it is sufficient to bind the more scrupulous and conscientious men. But, Sir, I do not admit that the Church of England has any occasion to take a security of this kind. It is admitted that the pressure of this declaration is intended to be upon Dissenters; but I do not see any danger to the Church of England arising from Dissenters or Roman Catholics. If the Church of England has dangers—and I fear she has—they arise from internal dissensions. I most sincerely trust she may outlive and overcome them, for, in my opinion, it would be a sad thing for the nation, and for all persons, Dissenters included, if she ceased to exist. But for the last thirty years I have not been able to trace any danger to the Church of England arising from the political acts of the Dissenters. If Dissenters have shown on special occasions a particular desire to secure privileges for their own bodies, the effect of that is to create a reaction favourable to the Church on the part of the immense majority of the nation. The great increase of the anxiety to defend the Church of England for several years past is due to the fact that some pressure has been attempted to be exercised on the Church by particular members of Dissenting bodies in measures which they have promoted or introduced. But if that be so, we have, I think, a security for the Church of England in the zeal of its own members, as indicated by what has taken place in this House, and proved by sure experience—a security of a thoroughly natural and wholesome character because produced by the very action of free discussion, because it implies no inequality, because it affixes no brand but is a sound and legitimate part of our Parliamentary system, by which the tendencies to excess (of which every party must be conscious) are checked and controlled by the reaction which they create. It is manifest that a strong feeling of zeal does prevail among many Members of this House for treating any measures that may be introduced in a manner favourable to the Church; but I must say that a vigorous indication of that feeling would in the end prove unfavourable, unless it were mildly and temperately used; and there is no mode in which it could be more mildly and temperately used than in dealing with such a measure as this. If this be a declaration not involving any security to the Church, but if, on the other hand, it be felt to be painful to an important part of the community, and if we long ago recognised the truth that there is no use in imposing in any shape civil disabilities on account of religious opinions, then I think the mode in which the House deals with such a Bill as this would afford the country no fallacious test of the way in which those who are attached to the Church of England are disposed to use their strength. At any rate, having myself for so many years represented a large body of the clergy of the Church of England, and having on various occasions submitted my claims to represent them to their revision, I have no hesitation in saying, that although on certain other occasions I may be called upon to differ from my hon. Friend who is the proposer of this Bill, and the hon. Gentleman who has seconded the third reading, they are, by the course which they have taken, in point of fact acting the part of true and prudent friends of the real interests of the Church of England.

MR. WALPOLE: — Sir, I am well aware that the House is anxious to come to a division, and there has been, I believe, a sort of understanding that a division without a discussion was likely to take place upon this occasion. But unfortunately, as I think, that understanding has been broken by the promoter of this Bill; and after the discussion which has taken place, and after the remarkable speech of the Chancellor of the Exchequer, I think the debate ought not to be terminated without some answer being attempted to that speech. The hon. Gentleman who moved the third reading quoted myself, as having, on a previous occasion, said that the declaration which this Bill seeks to abolish was no great security to the Church. I am of that opinion still. I think this Bill is of an insignificant character, either as regards any relief to be given to Dissenters on the one hand, or as regards danger to the Church on the other. Then it will be asked, why oppose it? My answer is, why do you propose it? That would be the first answer, and I believe the legitimate one, for I do think that this declaration was a compact made at the time when the Test and Corporation Acts were repealed. I do think it is in the nature of a compact, in this sense at least, that when you grant a great measure of relief and propose to append to it any conditions which are considered as securities, whether they be so or not, those who receive the benefit of that relief ought not to come to Parliament to be relieved of the conditions upon which the measure of relief was granted. My right hon. Friend the Chancellor of the Exchequer says truly, that no compact can be made by one Parliament which is to bind another. That is perfectly true; but there are understandings with respect to measures of this description which, unless adhered to, will prevent us making those reforms which may be desirable, but which will not be made unless conditions like those in question be maintained. It is in that sense that I think the compact ought to be maintained, and I think also that the Chancellor of the Exchequer is the very last person who ought to use the argument he did; for if ever a compact was made by man, it was made by my right hon. Friend—I allude to the repeal of the income tax. So much for the maintenance of compacts. Well, why wish the law to be maintained? My right hon. Friend said, and said truly, that the Church of England is in some danger from internal dissensions, but in none from free discussion. But what is it that has provoked these discussions? Is it any attack on the part of the Church of England? Have not the members of that Church on every occasion manifested the utmost desire to give in the fullest, freest manner, all that my right hon. Friend calls religious liberty? Well, then, what has provoked these discussions? Unhappily, I think I may say they are owing to this:—That the Dissenters, in a series of measures, advocated by some from good and conscientious motives, by others with the avowed object of attacking the Church, have brought forward Bill after Bill until they have raised a resistance which they will not easily quell. But my right hon. Friend says, that this declaration partakes of the nature of civil inequality. But was that the language used by Lord John Russell in 1828? That noble Lord said, that the object of the declaration was simply this—that those who made it should not use the power which they derived from any corporate office to the prejudice of the Church of England. If there be any civil inequality in that, then the argument of my right hon. Friend comes to this—that the Dissenters ought to be freed, that they may be at liberty to act to the prejudice of the Church of England. Sir, every argument that I have heard in support of the Bill becomes of serious import, because it shows, or tends to show, that there is something more in the background. I will add only one word more. I was not in my place last evening, but I see that a certain measure was resisted then by so high an authority as the First Minister of the Crown upon the ground that it might lead to another measure which he always opposed. If that be a legitimate ground of opposition, and if the argument of the noble Lord which opened up the question of ulterior measures be good, can there be a stronger reason for treating this Bill as something very serious, something more than appears upon the face of it? I shall therefore cordially support my hon. Friend in his Motion for the rejection of this Bill.

MR. W. E. FORSTER said, that in his opinion the declaration was of no advantage to the Church of England, but was a practical evil. Most able men—men of conscientious views—were prevented from serving in a corporate office, owing to the operation of this declaration, which deprived corporations of their services. In the borough he represented a gentleman who, of all others, was most fit to be in the corporation, was prevented from joining that body because he had a conscientious objection to take this test. In moving the rejection of a similar Bill in the other House, Lord Chelmsford said the object was to obtain from Dissenters on entering office an acknowledgment of the predominance of the Established Church; but he submitted there was no advantage conferred on the Church of England by obtaining this acknowledgment of its predominance. He had no feeling whatever against the Established Church—he wished its usefulness might be preserved—but he would say to its friends, if you wish to preserve the substance, do not fight so hard for the shadow. The friends of the Established Church should not insult those who were opposed to them by contending so strongly for that which is a mere sign of supremacy.

MR. NEWDEGATE said, that in reference to what had fallen from the right hon. Gentleman the Chancellor of the Exchequer, he begged to be allowed to explain that he (Mr. Newdegate) had stated on the second reading of the Bill, that the compact, of which the terms of the declaration were the effect and the evidence, had been renewed at the passing of the Roman Catholic Relief Act, on the passing of the Act with regard to Quakers and Moravians, and within the last five years on the passing of the Act by which members of the Jewish religion were admitted to seats in that House. Therefore, it was not a compact thirty-five years old; but a compact renewed from time to time, and renewed on the last occasion within the last five years.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 175; Noes 172: Majority 3.

Main Question put, and *agreed to.*

Bill read 3°, and *passed.*

AYES.

Adair, H. E.
Agnew, Sir A.
Alcock, T.
Anson, hon. Major
Antrobus, E.
Ayrton, A. S.
Aytoun, R. S.
Barbour, J. D.
Baring, A. H.
Baring, T. G.
Barnes, T.
Baxter, W. E.
Bazley, T.
Berkeley, hon. C. P. F.
Biddulph, Colonel
Black, A.
Blake, J.
Blencowe, J. G.
Bouverie, rt. hon. E. P.
Brand, hon. H.
Briscoe, J. I.
Browne, Lord J. T.
Bruce, H. A.
Buchanan, W.
Buller, J. W.
Buller, Sir A. W.
Butler, C. S.
Butt, I.
Calthorpe, hon. F. H. W. G.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cavendish, hon. W.
Clifford, C. C.
Clifton, Sir R. J.
Clive, G.
Cobden, R.
Colebrooke, Sir T. E.
Coningham, W.
Cox, W.
Craufurd, E. H. J.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Colonel F.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Dillwyn, L. L.
Divett, E.
Dodson, J. G.
Douglas, Sir C.
Duff, M. E. G.
Dunbar, Sir W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunkellin, Lord
Ellice, E. (St. Ands.)
Enfield, Viscount
Evans, T. W.
Ewart, W.
Ewart, J. C.
Ewing, H. E. Crum-
Finlay, A. S.
Forster, C.
Forster, W. E.
Fortescue, hon. F. D.
Gaskell, J. M.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W.
Goldsmid, Sir F. H.
Gower, G. W. G. L.
Greene, J.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Grosvenor, Earl.
Gurdon, B.
Gurney, J. H.
Hanbury, R.
Handley, J.
Hardcastle, J. A.
Hayter, rt. hon. Sir W. G.
Headlam, rt. hon. T. E.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Howard, hon. C. W. G.
Ingham, R.
Jackson, W.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Layard, A. H.
Langton, W. H. G.
Lanigan, J.
Lawson, W.
Leatham, E. A.
Levinge, Sir R.
Lewis, H.
Locke, J.
Lowe, rt. hon. R.
Lysley, W. J.
M'Cann, J.
MacEvoy, E.
Mackinnon, W. A.
M'Mahon, P.
Maguire, J. F.
Marjoribanks, D. C.
Martin, P. W.
Martin, J.
Massey, W. N.
Merry, J.
Mills, J. R.
Mitchell, T. A.
Moncreiff, rt. hon. J.
Morris, D.
Morrison, W.
North, F.
Ogilvy, Sir J.
Onslow, G.
O'Reilly, M. W.
Packe, Colonel
Padmore, R.
Paget, C.
Paget, Lord C.
Pease, H.
Peel, rt. hon. Sir R.
Pender, J.
Peto, Sir S. M.
Pilkington, J.
Potter, E.
Powell, J. J.
Pritchard, J.
Raynham, Viscount
Robartes, T. J. A.
Robertson, H.
Roebuck, J. A.
Russell, A.
St. Aubyn, J.
Scott, Sir W.
Seely, C.
Seymour, H. D.
Seymour, A.
Shafto, R. D.
Shelley, Sir J. V.
Sheridan, H. B.
Smith, J. B.
Smith J. A.
Somerville, rt. hon. Sir W. M.
Stacpoole, W.
Staniland, M.
Stansfeld, J.
Steel, J.
Stuart, Colonel
Sykes, Colonel, W. H.
Taylor, P. A.
Tomline, G.
Trelawny, Sir J. S.
Turner, J. A.
Villiers, rt. hon. C. P.
Walter, J.
Warner, E.
Wemyss, J. H. E.
Western, S.
Westhead, J. P. Brown-
Whalley, G. H.
White, J.
White, L.
Wickham, H. W.
Williams, W.
Wood, W.
Wrightson, W. B.

TELLERS.

Mr. Hadfield
Mr. Baines

NOES.

Adderley, rt. hon. C. B.
Addington, hon. W. W.
Arbuthnott, hon. Gen.
Bailey, C.
Barttelot, Colonel
Bathurst, A. A.
Beech, W. W. B.
Beecroft, G. S.
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Beresford, rt. hon. W.
Bovill, W.
Bramston, T. W.
Bridges, Sir B. W.
Brooks, R.
Bruce, Major C.
Bruce, Sir H. H.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cartwright, Colonel
Cave, S.
Cecil, Lord R.
Chapman, J.
Clive, Capt. hon. G. W.
Cochrane, A. D. R. W. B.
Codrington, Sir W.
Cole, hon. H.
Collins, T.
Cubitt, G.
Cubitt, W.
Curzon, Viscount
Dawson, R. P.
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. W. E.
Dutton, hon. R. H.
Edwards, Major
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fane, Colonel J. W.
Farquhar, Sir M.
Farrer, J.
Fellowes, E.
Fergusson, Sir J.
Ferrand, W.
Forester, rt. hon. Gen.
Gard, R. S.
George, J.
Getty, S. G.
Gilpin, Colonel
Gore, J. R. O.
Grey de Wilton, Visct.
Grogan, Sir E.
Haliburton, T. C.
Hardy, G.
Hardy, J.
Hay, Sir J. C. D.
Heathcote, Sir W.
Heathcote, hon. G. H.
Henley, rt. hon. J. W.
Henniker, Lord
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hodgson, R.
Holford, R. S.
Holmesdale, Viscount
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Humberston, P. S.

Hume, W. W. F.
Hunt, G. W.
Jermyn, Earl
Johnstone, J. J. H.
Jolliffe, H. H.
Jones, D.
Kennard, R. W.
King, J. K.
Knatchbull, W. F.
Knightley, R.
Laird, J.
Langton, W. H. P. G.
Leader, N. P.
Lefroy, A.
Legh, W. J.
Leighton, Sir B.
Lennox, Lord G. G.
Lennox, C. S. B. H. K.
Leslie, W.
Liddell, hon. H. G.
Lindsay, hon. Gen.
Lovaine, Lord
Lyall, G.
Lygon, hon. F.
M'Cormick, W.
Macdonogh, F.
Mainwaring, T.
Malcolm, J. W.
Malins, R.
Manners, rt. hon. Lord J.
Miles, Sir W.
Mills, A.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morritt, W. J. S.
Mowbray, rt. hon. J. R.
Mundy, W.
Murray, W.
Noel, hon. G. J.
North, Colonel
Northcote, Sir S. H.
Packe, C. W.
Pakington, rt. hon. Sir J.
Palk, Sir L.
Papillon, P. O.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. General
Pennant, hon. Colonel
Pevensey, Viscount
Phillips, G. L.
Powell, F. S.
Powell, W. T. R.
Ridley, Sir M. W.
Rolt, J.
Rowley, hon. R. T.
Salt, J.
Scourfield, J. H.
Seymer, H. K.
Smith, Sir F.
Smith, A.
Smith, S. G.
Somerset, Colonel
Somes, J.
Spooner, R.
Stanhope, J. B.
Stuart, Lt.-Col. W.
Stracey, Sir H.
Sturt, H. G.
Sturt, Lt. Col. N.
Talbot, hon. W. C.
Taylor, Colonel
Tempest, Lord A. V.
Thynne, Lord H.
Tollemache, J.
Torrens, R.
Trefusis, hon. C. H. R.
Trollope, rt. hon. Sir J.
Turner, C.
Vance, J.
Vandeleur, Colonel
Vansittart, W.
Verner, Sir W.
Walcott, Admiral
Walker, J. R.
Walpole, rt. hon. S. H.
Walsh, Sir J.
Watlington, J. W. P.
Whitmore, H.
Woodd, B. T.
Wyndham, hon. P.
Wynn, C. W. W.
Wynne, W. W. E.
Yorke, hon. E. T.

TELLERS.
Mr. Newdegate
Mr. Selwyn

REGISTER OF VOTERS BILL—[BILL 25.]

COMMITTEE.

Order for Committee read.

MR. LOCKE KING begged to move that the House resolve itself into Committee on this Bill.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. HOWES begged to propose, as an Amendment, that the House resolve itself into the said Committee on that day six months. The Bill proposed to collect in one general alphabetical list for each county all the voters' names, which were at present alphabetically arranged according to parishes. Such a list would simply be of advantage to candidates, and he saw no reason why the cost of preparing and printing them, which should be defrayed by the candidates themselves, should be thrown on the ratepayers at large.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—instead thereof.

MR. COLLINS said, that in those counties in which there was no contest at an election, the money expended in the formation of those lists would be absolutely thrown away. He opposed the measure, therefore, in the shape in which it stood; but he should withdraw his opposition if the hon. Gentleman by whom it was introduced would consent to give the magistrates in quarter sessions the power of deciding that no alphabetical register of voters should be made in those counties in which they might consider it unnecessary. He objected to imposing the expense of the lists of voters upon the counties.

SIR BALDWIN LEIGHTON said, that he also thought this Bill would entail an unnecessary expense upon the counties. Such a list as the one proposed would only be for the convenience of candidates, and therefore the expense of making it ought not to fall on the ratepayers.

MR. KER SEYMER said, he thought that the Bill was a good one as far as it went, but that there was nothing of great importance in it. He believed that the expenditure likely to be incurred in carrying out the measure had been very much exaggerated.

MR. LOCKE KING said, that the registers at present were to a great extent in a state of much confusion. The expense of preparing the lists which the Bill proposed to have made out would be small, and the advantage of them would be greater to electors than candidates.

MR. MITFORD said, that he did not think there was any grievance that required redress by such a Bill as the present.

COLONEL GILPIN said, that he should oppose the measure, on account of the unnecessary expense to which it would put the county ratepayers.

MR. LOCKE said, that he should support the measure. The expense which it would entail would be very inconsiderable.

MR. STANILAND said, that he saw no necessity for such a Bill.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 129; Noes 104: Majority 25.

Main Question put, and *agreed to.*

House in Committee.

Clause 1 (Clerks of the Peace to prepare alphabetical List of Voters for Counties).

Mr. HOWES said, he begged to move an Amendment, to the effect that it should be left to the court of quarter sessions to decide whether the proposed alphabetical list of voters should be made out in any particular county.

Amendment proposed, in page 1, line 5, after the word "county," to insert the words "whenever directed by the general or quarter sessions for the county."

Mr. LOCKE KING said, that he opposed the Amendment. He believed that the Bill as it stood would be beneficial, and its provisions ought, in his opinion, to be made compulsory.

Mr. DODSON begged to observe, that the quarter sessions could not be regarded as representing the taxpayers.

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 76; Noes 99: Majority 23.

Remaining Clauses *agreed to.*

House *resumed.*

Bill *reported,* without Amendment; to be read 3° *To-morrow.*

SALMON FISHERIES (IRELAND) BILL.

[BILL 1.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. M'Mahon.*)

Lord FERMOY said, that he rose to move that the Bill should be referred to a Select Committee. It was quite true that this subject came under the consideration of the Select Committee which sat on the hon. Member's Bill last year. But the present Bill was different from its predecessor, and the former inquiry was unsatisfactory because it was conducted by a packed and biassed Committee. The object of the measure before the House was to sweep away all the interests recognised by the Act of 1842, and to maintain and increase the rights which were said to be held under Royal charters. It was an error to say that the Act of 1842 was passed in a hurry, for it received full and careful consideration. He could prove that during the last twenty years, and especially during the last three years, salmon had been increasing instead of diminishing. No doubt salmon were unfortunately destroyed, but much more by the mills than by fixed engines. Those whom he represented on that occasion did not want any special favour. They would be satisfied with a full and fair hearing before an impartial tribunal; and, in the event of his Amendment being adopted, he thought the nomination of the Select Committee should be left in the hands of the Government. He contended, indeed, that so important a question as the salmon fisheries of Ireland should be dealt with by the Government, and not by any private Member. The lower proprietors admitted that the Act of 1842 had been strained, and even violated in some instances; he himself was prepared to acknowledge that the upper proprietors did not get their fair share of fish, and he had no doubt, that if all parties consulted together, a satisfactory arrangement could be made with respect to an extension of the close-time. But the question was eminently one of detail, and on that account it should be referred either to a Select Committee or to a Royal Commission. A one-sided measure such as the present, if passed without previous inquiry, would give great dissatisfaction in Ireland, and would merely result in wholesale confiscation for the benefit of a few upper proprietors.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir HERVEY BRUCE begged to second the Amendment. He was interested in the salmon fisheries of Ireland, and had some right to speak on the subject of the present Bill. One effect of the Bill would be to place the fisheries in the north of Ireland at the mercy of the Irish Society, and he contended that more salmon were improperly and illegally destroyed by the lessee of the Irish Society than by all the sea fisheries put together. He admitted that the subject was surrounded with considerable difficulty, but that was a strong reason for referring the Bill to a Select Committee; and he hoped, that if any inquiry were to be instituted, care would be taken to give the lower proprietors a fair hearing. There was no foundation for the statement that great injury was done by the sea fisheries. Only a very small proportion of salmon were taken in the sea, but everybody knew that fish caught in the sea were infinitely superior to those killed in fresh water. Why, then, should the owners of sea fisheries be subjected to a species of legislation for which there was no precedent, and which could not fail to do a great deal of harm without one particle of good? During the last few years salmon had increased to a considerable extent in Ireland, and it would be imprudent as well as unjust to interfere with the existing law, at any rate without some previous investigation. The river fishing conducted by the lessees of the Irish Society in the north of Ireland was particularly fatal to the increase of salmon in that country. He did not believe that the present Bill would give one fish more to the upper proprietors; on the contrary, he was convinced it would have an entirely opposite effect, and to pass it in its present shape would be an act unworthy of the intelligence and wisdom of the House of Commons. He hoped the Select Committee, if appointed, would include some hon. Member from the north of Ireland.

Mr. COX said, that the hon. Baronet who spoke last admitted that his observations were coloured by his personal interest in this question; but, for himself, he was influenced only by the public interest in the matter. The Irish Society, of which he was the deputy chairman, which received some thousands a year from these fisheries, and expended the whole of the money for the benefit of Londonderry and Coleraine, had, after full consideration, arrived at the conclusion, that although this Bill might, if passed, reduce their fisheries to a certain extent at first, yet the subsequent increase which it would cause in the take of salmon would amply compensate for any such temporary loss. He believed, that if the fish were allowed to go up the rivers to spawn, the result would be such an increase of the quantity of salmon that there would be enough for both the upper and lower proprietors. The supply had fallen off and the price had risen, not from any over-fishing in the upper waters, but entirely in consequence of the stake nets and bag nets placed at the mouths of the rivers by persons having an interest similar to that of the hon. Baronet. He saw no necessity for the proposed Committee of Inquiry.

Sir FREDERICK HEYGATE said, that while admitting that the decision of the House upon this question ought not to be governed by local or personal considerations, yet he maintained that it was neither right nor fair entirely to ignore the law passed in 1842, confirming, if not creating, certain vested interests in the stake net and bag net fishery proprietors. It would be quite as unjust to take away the rights of these persons by a Bill like the present, as it would be to deprive the purchasers of land under the Encumbered Estates Act of their property held under a Parliamentary title. There was no analogy between the case of England, where the value of the rivers for fishing purposes was now very small, and the case of Ireland, where the fishing interests in the river were very large. The lower proprietors had as much claim to compensation for the loss of their property as any man whose house was taken from him by a railway company. The whole of the matter ought to be fully investigated, and every interest affected allowed to state its case. This end might be attained by a Select Committee, or, better still, by a Royal Commission.

Colonel VANDELEUR said, that he felt bound, on the part of his constituents, who were greatly interested in preserving the fisheries along the river Shannon, to protest against what he conceived to be almost a revolutionary proceeding—namely, the sweeping away of rights which had been enjoyed for twenty years under the authority of the Legislature in 1842. An Act of the Queen, Lords, and Commons surely afforded as good, if not a better title to property than any prescription or any charter given in olden times. The aggregate quantity of salmon exported from Ireland to England had increased between 1860 and 1862, although there might have been a decrease in the case of some rivers, where proper regulations did not prevail. This Bill would not only destroy vested rights, but would throw everything into chaos and confusion, produce endless litigation, and lead even to a revival of violence and outrage. It struck at all fixed engines in rivers, and would justify persons in forcibly removing weirs. It would thus bring back again the old days when mobs were incited to knock down weirs and were brought into collision with opposite factions, thus engendering tumults and bloodshed. He hoped the House would refuse its assent to a measure fraught with such evil consequences.

Captain TALBOT hoped that a fair inquiry would be made before a Committee or a Royal Commission. The Bill now before the House was very different from that of last year, for the Amendments brought forward by Her Majesty's Government entirely changed its nature. If any satisfactory measure were to be brought forward, the matter must be taken up by the Government, who might then produce a measure which would meet the wishes of both parties.

Mr. M'CANN begged to remind the House that the rights of the poor fishermen along the shores of the Shannon had been abolished, which rights ought to be as much protected as those of the large landed proprietors. The House had quite sufficiently discussed this question, and the sooner they proceeded to bring the provisions of the Bill into operation the better.

Mr. BLAKE said, that the people of the county of Waterford were in favour of this Bill, and they, by their petitions, bore testimony to the injury which the bag and stake nets had committed to the fisheries of Ireland. The hon. Gentleman quoted from statistical Returns, to show that the supply of salmon from the whole of Ireland to the London markets had considerably fallen off in late years.

Mr. BUTT said, that the Bill should not be permitted to pass through the House without the fullest discussion. They were dealing with property of private individuals in Ireland, which amounted to £100,000 a year on a low valuation. The Bill was without precedent, for it proposed to destroy the rights of all private persons in all fisheries without any inquiry. He would ask, whether it was fair or just to take away the rights of persons without offering some compensation for the great losses which they would sustain if the Bill passed? They were asked to confiscate the rights of property deliberately conferred by Acts of Parliament, and enjoyed for more than twenty years, and they ought not to do this without a previous full and fair inquiry.

Sir HUGH CAIRNS begged to observe that the Bill professed to deal with the Act which passed in 1842, and which for the last twenty years had governed salmon fishing in Ireland. What was the Act of 1842? That Act was not passed by any inadvertence or surprise, but after the greatest deliberation, and with the consent, if not of the whole, of a very great majority of the Irish Members. Till that time it was doubtful whether owners of land along the shore could put out stake or bag nets, but that Act declared, that provided the parties owned a certain amount of interest in the soil, they should have the right, subject to certain regulations, to put out and fish with bag and stake net. The weir owners had a Parliamentary title of the clearest character, and he was surprised that the Bill, which dealt very tenderly with chartered or patent rights, took no notice of the stronger rights conferred by an Act of Parliament. The Act of 1842 was very careful in dealing with vested rights, and that example should be followed in any future legislation upon the subject. Reference had been made to the cases of England and Scotland, but he denied that those cases were analogous to that of Ireland, as no Act like that of 1842 had been passed in reference to those countries. He hoped the House would assent to the Amendment proposed by the noble Lord.

Sir ROBERT PEEL said, that he believed the opinions of the majority of Irish Members who had spoken were in favour of the proposition of the noble Lord the Member for Marylebone. But he must remark that many of those hon. Members then present had not been present at the discussion which took place upon the question of the second reading of this Bill. Upon that occasion the question of referring the Bill to a Select Committee or a Commission was brought under notice, but the opinion of the House was then opposed to such a course. He was not aware of any fresh facts which should lead to a different conclusion, and therefore he should vote for going into Committee. He had given notice of a number of Amendments which he should propose in Committee, and he believed, if they were adopted, the measure would be made a useful one. The question of the interests of a particular individual did not influence him; he cared most for the general interests of the public; but the opinions of the upper and lower proprietors were so discordant that it was difficult to arrive at any satisfactory legislation. As to fixed engines, he believed that in all Acts passed before the time of George III. they were treated as illegal. There were many fixed engines in the Shannon and Blackwater which materially interfered with the navigation, and which were not legalized by the Act of 1842. He thought that in Committee of the Whole House they would be enabled to make such Amendments as would render the Bill acceptable to most, if not to all parties.

Mr. HASSARD begged to move the adjournment of the debate. If that variance of opinion, which the right hon. Baronet who had just sat down had stated, did really exist, it was the duty of the Government to undertake the legislation upon the subject——

Sir GEORGE BOWYER said, he rose to order. The hon. Member had moved the adjournment of the debate and was entering upon a discussion of the Bill.

Mr. SPEAKER ruled that the hon. Member was in order, as he might show some reasons why the debate should be adjourned.

Mr. HASSARD continued: The assizes were going on in Ireland, and there were many hon. Members there, attending to their duties, whose presence in the House would be useful when a question of this sort was under discussion.

Major EDWARDS begged to second the Motion for adjourning the debate—when it being a quarter to six o'clock—

Mr. M'MAHON said, he should proceed with the Bill on Wednesday, March 25.

Debate *adjourned* till *Wednesday,* 25th March.

ELECTIONS DURING RECESS BILL.

On Motion of Mr. Collins, Bill to further limit and define the time for proceeding to Election during the Recess, *ordered* to be brought in by Mr. Collins, Mr. Dodson, and Mr. Hennessy.

Bill *presented,* and read 1°. [Bill 48.]

BOROUGH RESIDENCE MEASUREMENT BILL.

On Motion of Mr. Collins, Bill to define and render uniform the mode of measuring the Residence required for Electors in Cities and Boroughs, *ordered* to be brought in Mr. Collins, Mr. Paget, and Mr. Ayrton.

Bill *presented,* and read 1°. [Bill 49.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, March 5, 1863.

Minutes.] — Public Bills — *First Reading*— Redemption of Rents (Ireland) (No. 29); Births and Deaths Registration (Ireland) (No. 30); Qualification for Offices Abolition (No. 31).

Third Reading—Naval Coast Volunteers Act Amendment (No. 19); and *passed.*

Royal Assent—Prince and Princess of Wales' Annuities; Bills of Exchange and Notes (Metropolis).

THE ITALIAN DESPATCHES.

QUESTION.

The Marquess of NORMANBY said, he had given notice in writing to his noble Friend the Minister for Foreign Affairs, of his intention to call attention to the circumstances connected with the despatches presented to the House the other evening, particularly with regard to that despatch which had been the subject of much discussion in their Lordships' House. It was as a question of good faith that he attached importance to the fact of the manner in which it had been dealt with. He asserted that when a despatch was presented without notice to the writer, after an interval of two years, the whole ought in justice to be given. He should wish the noble Earl to explain why the despatch published in 1849, which was presented to Parliament in 1851, was mutilated by the omission of the following words:—

> "When the social dangers and the political excesses of the last twelvemonth are fast forming in every settled Government and the majority of almost every people a strong feeling against any reforms which partake of the character of revolution."

These words contained a description of the state of Europe, which all that happened between 1849 and 1851 had fully confirmed. The omission was the more remarkable from the fact that there was only a comma between the last words of the despatch as presented and the passage omitted. For the comma a full stop had been substituted. If a change in punctuation altered the purport of the passage, such change was in itself a falsification. The particular example might not at this distance be of importance, but he had noticed it as showing a vicious system.

Earl RUSSELL said, he was glad that his noble Friend was now satisfied that the despatch from which he (Earl Russell) had quoted had been presented to Parliament a long time ago. No doubt the words which his noble Friend had read were omitted from the despatch as presented, and that a full stop was substituted for a comma. He presumed that the person intrusted with the preparation of the despatches thought that the words omitted were of no importance. Several years had elapsed since the production of the despatch in question, and he did not think that much importance could be attached to the omission.

REDEMPTION OF RENTS (IRELAND) BILL [H.L.].

A Bill to facilitate the Redemption and Extinguishment of Rents in Ireland—Was *presented* by The Lord Chelmsford; read 1ª; and to be *printed*. (No. 29.)

BIRTHS AND DEATHS REGISTRATION (IRELAND) BILL.

Brought from the Commons, and read 1ª (*The Lord Steward*). (No. 30.)

QUALIFICATION FOR OFFICES ABOLITION BILL.

Brought from the Commons, and read 1ª. (No. 31.)

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 5, 1863.

Minutes.]—Select Committee—On Inland Revenue and Customs, Sir E. Grogan *added*.

Supply—The Navy Estimates—*considered* in Committee.

Public Bills — *Resolution in Committee* — Burials.

First Reading — Hares (Ireland) [Bill 51]; Burials [Bill 52]; Gardens in Towns (*Lords*) [Bill 50].

Second Reading — Marriages, &c. (Ireland) [Bill 32].

Committee—Malt Duty [Bill 37]; Post Office Savings Banks [Bill 22].

Report — Malt Duty [Bill 37]; Post Office Savings Banks [Bill 22].

Third Reading—Union Relief Aid Act (1862) Amendment [Bill 44], and *passed*; Register of Voters [Bill 25], and *passed*.

NAVAL PRIZE MONEY.—QUESTION.

Sir JOHN HAY said, he wished to ask the Secretary to the Admiralty, in reference to a notice in the *Gazette* of Friday the 27th ultimo, suspending payment of certain Naval Prize Money which has been due since 1857, and which has been recently advertised to be distributed, What is the cause of this further delay, and whether it is not due to the want of proper agents to take charge of the interest of the Captors?

Lord CLARENCE PAGET said, in reply, that there had been no delay on the part of the Admiralty in the distribution of the Prize Money in question. The Prize Money was delivered to the Admiralty for distribution on the 9th of December, and the Admiralty gave an order on February 19th for the distribution. In the interval, the Officers of the *Niger* claimed a share in the Prize Money. The matter now awaited the decision of the Court of Admiralty, and the Admiralty had suspended the distribution until the Court determined whether the claim of the Officers of the *Niger* was valid or not. The captors had agents in London, and likewise local agents on the spot to watch their interests.

ECCLESIASTICAL COURTS. QUESTION.

Mr. HENRY SEYMOUR said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to introduce, this Session, any measure for the reform of the Ecclesiastical Courts and Registries?

Sir GEORGE GREY replied, that a Bill was in preparation on the subject.

CHURCH BUILDING ACTS. QUESTION.

Mr. HENRY SEYMOUR said, he would also beg to ask Mr. Solicitor General, If the Church Building Acts have been consolidated; and, if so, when Her Majesty's Government will introduce a Bill upon the subject?

The SOLICITOR GENERAL, in reply, said, that the Church Building Acts had been consolidated, and that he hoped to bring in a Bill before Easter.

ADMINISTRATION OF THE POOR LAWS.—QUESTION.

Mr. HIBBERT said, he wished to ask the President of the Poor Law Board, Whether it is his intention to move for the reappointment of the Select Committee on the Administration of the Poor Laws; and, if so, whether he will defer the introduction of the Bill to continue the Poor Law Board until such Committee shall have reported to the House?

Mr. C. P. VILLIERS, in reply, said, it was his intention to move for the reappointment of the Select Committee on the Administration of the Poor Laws. When the House demanded the appointment of that Committee, it appeared to desire that the result should be known before the usual Poor Law Board Renewal Bill was introduced. He should, therefore, in compliance with that desire, wait for the Report of the Committee before he brought in the Bill.

BRIDGE STREET.—QUESTION.

Sir JOHN SHELLEY said, he wished to ask the First Commissioner of Works, When the houses left standing on the south side of Bridge Street are to be entirely removed, and whether or not arrangements have been made with the tenants in possession for giving up their interests; if not, what is the course the Office of Works intend to pursue with regard to that portion of the property?

Mr. COWPER, in reply, said, that all the houses on the south side of Bridge Street would be cleared away before the close of next year. All the houses had been purchased, and agreements had been made with all the tenants except two—one of them being the leaseholder of Fendall's Hotel. This lease would expire next year, but inasmuch as the Hotel was a place of great resort during the sitting of Parliament, he was unwilling to put the persons using it to inconvenience by having it pulled down until it was required for the public service. It seemed right not to impose upon the public funds the necessity of paying the large compensation which might be awarded by a jury if the compulsory powers of the Act were put in force in this case. He had therefore not thought it necessary to apply the powers of the Act to this particular tenement.

ENTRY OF THE PRINCESS ALEXANDRA. QUESTION.

Sir GEORGE BOWYER said, it appeared that the object of leaving the Lord Mayor and the City authorities at Temple Bar was to enable the procession to proceed at a rapid pace to Paddington. He wished, therefore, to ask the Secretary of State for the Home Department, Whether, having regard to the desire of the Citizens of London to show all possible respect to Her Royal Highness the Princess of Denmark, and the wish of the public outside the City to see the full solemnity of the Procession next Saturday, arrangements will be made for the Lord Mayor and the City Procession to attend Her Royal Highness as far as Paddington?

Captain STACPOOLE said, he would beg to ask, whether any provision has been made for Members of that House to join in the procession?

Sir GEORGE GREY:—Sir, it is the first time I have either heard or seen it stated that the procession is to proceed at a rapid rate from Temple Bar. I thought I had explained clearly on Friday night that the City authorities would take precedence to Temple Bar, and that they would then give place to the other local authorities, who had an equal right with the civic authorities to take precedence in their own district. The Lord Chamberlain, through whom the communications with the City have been chiefly carried on, has informed me that he has received a communication from the City authorities expressive of their satisfaction with the arrangements that have been made. They have been finally concluded with the concurrence of all the persons who, from their local connections, are entitled to take part in them. To make any change now in the arrangements would only introduce disorder and confusion. In answer to the hon. and gallant Gentleman (Captain Stacpoole), I have to say that no place has been assigned to this House in the procession. With the exception of the carriages forming the Royal *cortége,* only those will take part in the procession who, from their local position or jurisdiction, are fairly entitled to do so.

Sir GEORGE BOWYER said, he wished to know what arrangement had been made with the civic procession, and whether it was to go beyond Temple Bar?

Sir GEORGE GREY:—The civic authorities will not go beyond Temple Bar. Their place will then be taken by the other authorities, who will conduct the Royal party to Paddington.

Mr. WALTER said, that many persons were anxious to obtain information as to the arrangements for passenger and other traffic through the streets on the night of the illumination. Would carriages be excluded from the streets on that night?

Sir GEORGE GREY: Carriages will not be excluded from the streets on the night of the illumination. I have communicated with the Chief Commissioner of Police, and he says he is endeavouring to make arrangements by which an open space will be kept in the centre of the street for carriages which may be conveying persons wishing to pass from one part of London to another, while on each side, where the street is wide enough, there will be a string of carriages containing persons wishing to see the illuminations. These two lines of carriages will be going, one in one direction and one in another.

Mr. PAULL said, he would beg to ask whether it is distinctly understood that the civic procession is to stop entirely at Temple Bar, or whether it will follow in the rear?

Sir GEORGE GREY: That must depend very much on the City authorities. There would be no objection to their following the procession, but I believe the Lord Mayor does not intend to do so. The Sheriffs of London, being also Sheriffs of Middlesex, will retain their place in the procession, and accompany it to Paddington.

Mr. BUXTON said, he wished to know whether carriages and horsemen will be admitted into the park?

Mr. COWPER said, it had been settled that only the Royal carriages would be allowed to pass in the centre of the Park between the lines of the Volunteers. It was expected that a large number of persons would be in the park on foot, and it would not be desirable to allow persons on horseback to ride on the grass with the exception of officers on duty with the Volunteers or persons immediately connected with the Royal procession.

Sir GEORGE GREY: I have just received information that an offer was made to the City authorities stating that they might follow the procession if they pleased from Temple Bar to Paddington. They replied, that if they could not precede it, they would go no further than Temple Bar.

EMIGRATION FROM THE COTTON DISTRICTS.—QUESTION.

Mr. HIBBERT said, he wished to know, Whether a statement made by a correspondent of *The Times* was correct, that sailing vessels were being prepared at Chatham for the purpose of conveying a large number of distressed operatives to the Australian Colonies at the expense of the Government?

Lord CLARENCE PAGET: I am not aware of any such intention on the part of the Government.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TREASURE TROVE.—OBSERVATIONS.

Sir JERVOISE JERVOISE said, he rose to call attention to two Circulars addressed to the Chief Constable of the county of Hants, dated respectively, Whitehall, 27th of August, 1860, and Whitehall, 9th of January, 1861, on the subject of Treasure Trove. The first order required the police to put in force an antiquated and obsolete law, and the second order annulled the first, as not being the most convenient way of dealing with the matter, and concluded by a virtual promise that the public should receive full information as to the course the Government would pursue in regard to the question. Unfortunately, that promise had not been fulfilled. The noble Lord at the head of the Government himself did not exactly comprehend the law in regard to Treasure Trove, for he had appropriated an ancient British relic found on one of his estates.

Viscount PALMERSTON said, it was quite true that about two years ago some workmen, when digging a drain in a meadow on one of the farms he had bought a few years previously, found a torque, one of those ancient British ornaments of gold which were worn as necklace or bracelet. He got it back from the person who had purchased it from the man who discovered it, the value being about £8. He had an investigation made of the original grant of the farm several centuries ago, and ascertained that it conferred on the grantee all the Treasure Trove on the property. He therefore felt entitled to keep the relic in question, and his hon. Friend had, no doubt, seen it when exhibited in the South Kensington Museum.

Mr. PEEL said, it was by no means an obsolete or absurd law that when an article of gold or silver, belonging to an unknown owner, was found, it should be held to be the property of the Crown. The rights of the Crown in that respect were not, however, rigidly enforced. The articles found were usually returned to the person who was declared to have the best claim to them, or, if they were of historical or antiquarian interest, they, were deposited in the British Museum or some local collection, and their intrinsic value was paid to the finder or the person who had the best claim to the relic. What the Treasury desired was to obtain speedy information of the discovery of any treasure trove. The circular to which the hon. Baronet had alluded was issued some years ago, and was intended to instruct the finders of any treasures how to communicate with the Crown on the subject. That circular was subsequently withdrawn, because it laid claim to antiquities which were not exactly treasure trove and did not belong to the Crown, and because it directed a reference to the wrong tribunal in cases of disputes. The draught of another circular was prepared, but so many difficulties beset the subject that it was not deemed advisable to issue it. If occasion should arise for a new order, it would, of course, be made; but there appeared to be no necessity for one at present.

OBSOLETE VESSELS OF WAR.

OBSERVATIONS.

MR. COBDEN: Sir, in accordance with the terms of the Notice which I have given, I beg—with the permission of the House—to offer a few words on the subject of the large number of obsolete vessels of war in the British navy, and also with reference to the conduct of our naval administration which has produced that state of things. In referring to this matter, I wish it to be understood that by the term "obsolete" I allude to the vessels which the circumstances of the times have rendered useless for the purposes of war. If it should be objected that such a Motion no longer raises any practical question, inasmuch as in Committee of Supply, *sub silentio*, but not without individual protest, a Vote has been passed enabling the Government to maintain 76,000 men for the navy of the year, I beg to say, in reply, that I do not acknowledge that Vote as necessarily final. It will be in the power of the House, if it think proper, on subsequent and more important stages of the measure, to review, and, if necessary, to reverse the Vote. After the remarkable utterances made by a Conservative Peer in another place, to which we must not more particularly allude, expressing disapprobation of the excessive number of men voted for the navy this year, I think it cannot be deemed improbable that this question will again come under the consideration of the House. Now, Sir, I will describe what I mean by the term obsolete ships of war. In the last Return of the Admiralty presented to this House with regard to the number of war vessels, it is stated that there are 558 wooden steam-vessels, of which 106 are either line-of-battle ships or large frigates constructed of wood, leaving nearly 450 of a smaller kind, ranging from corvettes to the smallest wooden ships, as well as gunboats. With this latter class of smaller vessels I do not propose to deal Those vessels, although built of wood, and therefore liable to destruction from the combustible missiles which have rendered obsolete the larger ones, may and must be serviceable in barbarous and uncivilized regions, and may be used as a sort of police of the seas. Therefore, I beg it to be understood that my remarks apply strictly and exclusively to the 106 ships to which I have ventured to call the attention of the House. I may state that sixty-six of them are line-of-battle ships, and forty are large frigates. And when I speak of frigates, I should desire to explain to the House what I really mean by the term. Thirty-five of them are upwards of 2,000 tons, and fourteen upwards of 3,000 tons. Now, we all know that Nelson's flag-ship, the *Victory*, was only 2,300 tons; so that these frigates average a larger tonnage than the vessel which Nelson commanded at Trafalgar. When I designate these 106 large wooden vessels as obsolete, I wish the House to understand that I do not merely speak on my own authority. I am not stating a fact which was before unknown. The truth is, the causes from which have arisen the belief that these vessels are no longer useful, are not of recent origin, but are some twenty years old. They sprang from a discovery on the part of an eminent French artillerist, by which bomb-shells, which up to that time were projected only in parabolic motion through the air, falling at random anywhere, might be projected horizontally with all the precision of solid round shot. As it is necessary to fix opponents to the point at issue, I beg to say, that the wooden line-of-battle ships have been rendered obsolete, not by the adoption of the iron-clad gunboats or vessels of war. No doubt iron-clad impenetrable vessels of war have rendered these wooden ships additionally and conclusively useless; but they were objectionable and open to condemnation before ever an iron-cased gunboat went to sea. I remember—for I am an old scholar in these things, for which, indeed, I have no taste, but which have been forced on my attention—I remember, in 1849, sitting on a Committee to inquire into the Ordnance. Before that Committee Sir Thomas Hastings, then occupying an important position at the head of the gunnery establishment, stated, that in consequence of the adoption of those shells with horizontal motion, if we went into a sea-fight with twenty-five line-of-battle ships, instead of the action lasting ten hours, as such events used to do, it would more likely be over in ten minutes, and, instead of our coming out of it with all our ships, we should probably lose half of them. The American Government, having very little money to spend on the navy, have shown much more forethought than we have. They have never constructed a line-of-battle ship for the last twenty years. They abandoned these ships, not because iron vessels came into use, but because they found swift corvettes and such-like to be safer vessels than the large cumbrous three-deckers which offered so broad a target to the incendiary shells. We have also had two or three expressions of opinion on the subject from authorities at home, and I appeal to them because I am anxious not to depend solely on my own opinion. The hon. and gallant Member for Harwich (Captain Jervis) speaking lately on this question, said that a shell now acted as a mine ; it burst on passing through the side of a vessel, and would so shatter it that a wooden line-of-battle ship would be noting better than a slaughter-house. Again, the hon. and gallant Member for Wakefield (Sir John Hay) who is an authority in these matters, has told us of an experiment where shells were tried on an old brig—the *Hussar*—which was on fire at the twelfth round. It seems, then, that half a broadside sets a vessel in flames beyond the possibility of extinction. Such being the case, other countries, long before we took the hint, ceased to build large vessels of war. We have continued to build them, and we have now got the number on hand of which I have spoken. I donot under take to blame any one because we have got some line-of-battle ships in hand. Whenever a change takes place, we must experience some loss in a heavy residue of useless articles; but I have a great grievance to allege against the Admiralty of successive Governments for having left us with so enormous a number of useless and obsolete ships of war. I have therefore thought right to put this notice on the paper. With whom, then, does the fault lie? It is admitted on all hands to be a fault. Will any Gentleman of nautical experience, with a head on his shoulders and a reputation to care for, get up and tell me, that if these 1061 arge frigates and line-of-battle ships had not been in existence, one of them would now be regarded as a useful vessel of war? If nobody will venture to say so, we may safely conclude that these vessels are quite useless. If we had wooden vessels of war to oppose to wooden vessels of war, it might be said, "Other countries have got these line-of-battle ships, and it is therefore necessary that we should have them too;" but the introduction of iron-clad vessels, and especially of impenetrable gunboats, has rendered these line-of-battle ships, not only additionally useless, but actually a danger and a snare, because it is now frankly acknowledged that a single gunboat making its appearance is a sufficient justification for any number of these wooden vessels to take to their heels and run away. What has happened in America? A blockade established by these wooden vessels has been raised by one iron gunboat. Another iron vessel improvised for the occasion, made of railway iron, in one of the Southern ports, where the people are not apt in mechanical contrivances, suddenly made its appearance, and in almost a few minutes massacred the whole crew of one of the largest wooden frigates in the American navy—a ship larger, I believe, than any of our frigates. Nay, more, if another iron-clad vessel had not come to the rescue, it is the opinion of the best nautical authorities that that single iron-clad would have cleared the whole coast of Northern America of wooden vessels. If that be so, and nobody of authority on naval matters will gainsay it, what follows? We have 106 of these large wooden vessels, which in all former times would have been regarded as the very mainstay and strength of England, but which are now of no advantage to us, which gives us no strength as against a foreign enemy, and which, indeed, are actually a weakness and a danger. If we were at war to-morrow, I challenge any naval officer in this House or out of it to say that we would send any one or all of these large wooden ships to oppose a single iron-clad vessel that may now be possessed by France or the United States. Such being the case, it is quite clear that we are in a dilemma of a very serious kind, and one which calls for the consideration of every man who has the interests of his country at heart. How is it that we have arrived at this state of things? Is it because some new invention has suddenly surged up, taking us unawares, and leaving no choice to the Admiralty but to continue the manufacture of these large wooden ships? Quite the contrary. We have had warnings from all directions. We have had warnings from France and from America, and warning voices have been raised in our own country by the most eminent nautical men, all proclaiming for years that we were coming to this. I think it is honourable to naval men that they have so frankly declared the utter worthlessness of these large wooden ships of war, because, no doubt, the poetry and romance of the navy are thought to be associated with the quarter-decks of our line-of-battle ships. There appears at first sight, something less noble, less dignified in a *Monitor* or a *Merrimac* than in a line-of-battle ship. I am not disposed to agree with that. I think power, wherever it is—intellect, wherever it is — gives the real rank in the world; and I believe that the naval authorities, in abandoning the traditions of the old wooden ships and espousing the cause of Captain Coles's cupola ship and other inventions, not only show true patriotism, but take a wise view even of their own interests as professional men. According to the estimate of Mr. Scott Russell, who ought to know, we have probably spent during the last eight years about £30,000,000 in the material of a wooden navy that is now quite useless. I take the 106 ships I have spoken of as having cost, with their contingents, £20,000,000. I will not say the Admiralty is accountable for the whole of this £20,000,000, but I firmly believe that the naval administration is fairly responsible for the loss of £10,000,000 of it. I believe £10,000,000 has been wasted in the construction of large wooden vessels since other countries have known, and our own Government ought to have known, that these line-of-battle ships would be useless. With whom must the blame rest? I think it should be divided between the two sides of the House, or, at all events, the two front benches, for I hope the other benches will be able to absolve themselves from responsibility. I go back to the time when the right hon. Baronet the Member for Droitwich (Sir J. Pakington) was First Lord of the Admiralty, in 1859. He began what he called a reconstruction of the navy. It was no reconstruction of the navy. It was the conversion of great wooden line-of-battle ships into screw vessels, after other countries had abandoned these constructions, and I venture to say that the right hon. Gentleman was aware of that circumstance. I hold in my hand a paper of a very curious kind, which I wonder has not attracted more attention in this House. It is now somewhat out of date. It is the Report of a Committee appointed by the Treasury to inquire into the Navy Estimates from 1852 to 1858, and into the comparative state of the navies of England and France. That Report arose in this way. The Earl of Derby's Government came into power in 1858. They had left office in 1852. In the interval a Whig Government under various heads had held the reins of power. The Earl of Derby's Government, looking back on those six years, saw that there had been a very great waste of labour and capital in our dockyards. It was, no doubt, thought, and it really was, a good party move to bring out a Report of the proceedings of the Admiralty and the naval administration during those six years. Such is the nature of the document that I hold in my hand. There is, first, a Minute of the 1st of December, 1858, which appoints a committee of gentlemen in the Treasury to draw up an account of the expenditure on our navy during the six years from 1852 to 1858, and on the French navy, as far as they could, for the same time. It was a review, in fact, of the doings of the opposite party in naval administration for six years; and we are likely, under these circumstances, to get more of the truth than when a Government appoint a committee to inquire into their own doings. The minute under which the committee was appointed is signed "D." I do not know what that "D." stands for. There were two D.'s in the Treasury at the time, and both were men quite competent to appreciate the value of such a document as that I have here. I must premise that this Report was in the hands of the Government at the time when the right hon. Baronet brought forward the Navy Estimates in February, 1859; but it was not delivered to the House of Commons till the following April. Now, the whole tendency of the Report is this:—It shows, what it was the object of the able man who signed himself "D." to show, that during the six years from 1852 to 1858 there had been great maladministration in the English naval department, and that there had been comparatively great economy and judgment displayed in the French marine.

Sir JOHN PAKINGTON: Will the hon. Gentleman allow me to ask him when that paper was presented to Parliament?

Mr. COBDEN: I will tell the right hon. Baronet all about it. The Minute is dated December 1, 1858. The right hon. Gentleman brought forward his Navy Estimates in February, 1859, and this paper was "ordered to be printed by the House of Commons" on the 4th of April in the same year. It was not in the hands of the Members of the House when the right hon. Baronet brought forward his Estimates. It seems to me that the right hon. Gentleman, in some way or other, mistook his case altogether. He had a brief put into his hands to indict certain parties, and he commenced by making an attack upon other parties. In bringing forward his scheme for the reconstruction of the navy he alarmed the country with an outcry that the French were making great and undue preparations in their naval department. This Report, so far from justifying that, shows that in the number of seamen the English navy was scarcely ever so strong in proportion to the French as it was then. All that it states is that the French Government had been engaged in very prudently converting their sailing vessels into screw line-of-battle ships, whereas, we had been all the time building screw line-of-battle ships, and leaving our sailing vessels to rot in the docks. I may add, parenthetically, as bearing on matters of which I can promise that you will hear more before the Session is over—I may remind the House that between 1850 and 1852 began the system of converting sailing vessels into screw line-of-battle ships. It was acknowledged about the year 1850 that sailing line-of-battle ships would no longer be of any use, and from that time to 1859 the process had been going on of converting sailing line-of-battle ships into screws. And this Report, I repeat, says that while the English Government had been wasting their money in building new wooden line-of-battle ships in order to put screws into them, the French had been more wisely changing their sailing vessels into screws. But there is nothing in this Report which warranted the right hon. Gentleman in getting up in this House in 1859 and raising a panic as he did by declaring that the French Government were engaged in making undue naval preparations. More than that, I say that the able man whose initial "D." is appended to this document never could have contemplated any such use as that being made of it. But there are other things that go to show that our Admiralty, which is an old offender, has wasted the public money. In this Report some tables are given that are most eloquent in themselves, and the few figures that I will read are exceedingly instructive. Here is an account of the number of English and French sailing vessels in the years 1852 and 1858. In 1852 the British Government had 299 sailing vessels, and in 1858 it had 296, showing a reduction in six years of only 3. The French in 1852 had 258 sailing vessels, and 144 in 1858, thus having diminished in six years their number of ships by 114. The reason for this difference was, that the French were converting their sailing vessels into screws, and our Admiralty were allowing good sailing vessels to rot in ordinary while they were building new vessels, in order to put steam-engines into them. But here is another table, still more instructive. These figures are very eloquent; it is an account of the English and French vessels of all kinds, both sailing ships and steamers, in 1852 and 1858. In 1852 the British had 475 sailing vessels and steamers, and in 1858 they had 760, being an increase of 285 in six years. The French in 1852 had 380 sailing vessels and steamers of all kinds, and 408 in 1858, being an increase in six years of only 28. France had been, as I before said, converting her sailing ships into steamers. Well, what is the conclusion drawn by the framers of this Report? Why, they recommend that the English Government should follow the wise example of the French. And the right hon. Gentleman himself—I will do him this credit—in bringing forward his Navy Estimates, so far improved upon the mismanagement of those who went before him that he did commence converting nine sailing line-of-battle ships that had been left apparently to rot by his predecessors. He also began the construction of iron-clad vessels by ordering the *Warrior* to be built; but I am not sure that that will help his case, because at the very time he was laying down iron-clad vessels, he entered frantically upon this career of converting large wooden line-of-battle ships, and that certainly diminishes the justification which one might otherwise offer for him. The right hon. Gentleman, in the course of his speech on that occasion, said the French were making undue preparations in respect of line-of-battle ships; but in the Report from which I have read there is just the very opposite statement. The two assertions are so completely at variance that I should like to hear the right hon. Gentleman's own explanation on this point. It is of advantage that we should have these matters brought out face to face; and I should like to know how, with this passage of this Report in his hands, the right hon. Gentleman could have raised the cry of French aggression, and stated that France was making undue preparations in the construction of line-of-battle ships. Here is an extract from the Report—

> "So convinced do naval men seem to be in France of the irresistible qualities of these iron-clad ships that they are of opinion that no more ships of the line will be laid down, and that in ten years that class of vessels will have become obsolete." The Report adds that "No line-of-battle ship had been laid down since 1856 in France, and there had not been a single three-decker on the stocks since that year."

Therefore, the right hon. Gentleman and the Admiralty had fair warning from their own officials of what France was doing. I must say that since reading that Report it has always been to me utterly incomprehensible how, with that statement in his hands, he should have made that speech in 1859, exciting so much panic here and out of doors. I was not in Parliament when the right hon. Gentleman brought forward the Navy Estimates. I was in America. When I came home and found myself a Member of this House, I took this Report, which then lay waiting for me, but which the right hon. Gentleman may have forgotten, as others seem to have done; and the very first time I had an opportunity of speaking in this House—namely, about the month of June, I brought this document out, and I said, "Why, it proved the very opposite of what you stated in introducing your Navy Estimates." And here it is, bearing just the same interpretation now, but landing us in this dilemma, that the steps taken by the right hon. Gentleman have led, no doubt, to a waste of £10,000,000 sterling; and even that amount, I fear, is much under the mark. Well, if I turn from the right hon. Gentleman opposite to my noble Friend the present Secretary to the Admiralty, I am almost puzzled to understand which is the worse case. My noble Friend has been my teacher in this matter of naval architecture. I drew inspiration from him, ay, as long as six years ago. I remember his speeches, how admirable for their forethought, their intelligence, their perfect knowledge of his profession. But now what an absence there is of such utterances as we had from him in 1857! I will read some of them, that the House may mark the difference. I am not much addicted to troubling the House with extracts, but I want to show authority for the course I wish to see taken on this subject, and I appeal for that purpose from the Secretary of the Admiralty of 1863 to the Lord Clarence Paget of 1857. Speaking on the 18th of May, 1857, the noble Lord said—

> "All his own experience went to show that line-of-battle ships were not now so important an arm in war as they formerly were. Formerly line-of-battle ships carried heavier guns than other ships; but now every corvette, sloop, and gunboat carried heavy guns, and he was convinced that no force of large ships could withstand the legion of gunboats, sloops, and corvettes which they saw at Spithead last year." [3 *Hansard*, cxlv. 438.]

Again, he recurred to the subject in the same speech, and said—

> "In his opinion line-of-battle ships were not the instruments by which in future the fate of empires would be decided." [3 *Hansard*, cxlv. 439.]

He added that—

> "Napoleon had observed, that if he could only command the Channel for forty-eight hours, he would subjugate this country. He might, however, come to our shores at the present day with seventy or eighty ships of-the-line, and yet not be enabled to effect a landing in the face of that noble fleet of small vessels which the First Lord of the Admiralty had given within the last few years."

Again, on the 12th of April, 1858, the noble Lord reiterated the same opinions with even still greater confidence. He said—

> "He believed it to be the opinion of the navy that it would be wise to pause in the construction of these enormous vessels. That opinion was gaining ground in this country, and much more was it gaining ground in France. He had been lately at Paris, and had had conversations with French officers on the subject; and, whatever reports the late First Lord of the Admiralty might have heard respecting the French navy, he could give him positive information, that so far from there being any activity in building large ships, they were waiting to see what would be done in this country. He was pursuaded, and it was the general opinion of the naval profession, that line-of-battle ships were not destined to play an important part in future naval wars. It was believed that these ships would be superseded in the line-of-battle, and more particularly in attacking forts, by ships with one tier of heavy guns, and their sides cased with iron. He believed with the hon. and gallant Admiral the Member for Southwark (Sir Charles Napier) that in ten years

three-deckers would be unknown, being cut down into single-deck ships; and, holding that opinion, he thought it was a wasteful expenditure of the public money to go on year by year, constructing that class of vessels." [3 *Hansard*, cxlviii. 930.]

That was the noble Lord when out of office; and, really, when I think of what he was and what he is, it confirms me in the conviction I have long entertained of the great risk men run in taking seats upon the Treasury bench. Who can say that he would be proof against the contagion, or that he would remain free from that obliviousness of all his past opinions and declarations which a place on that bench seems calculated to engender? The noble Lord came into office as Secretary to the Admiralty in the spring of 1859, taking that office on the retirement of the Earl of Derby's Administration. I cannot make my noble Friend responsible for the first Estimates he administered to as Secretary to the Admiralty, because they had been practically framed and passed under the auspices of the right hon. Baronet the Member for Droitwich (Sir John Pakington); but my noble Friend brought forward the Estimates in 1860; and he must have had considerable pain and suffering of mind when he had to recount to the House what had been done the previous year under his auspices. He stated that in the previous year the Admiralty had built 19,730 tons of ships of-the-line, and 13,654 tons in frigates, besides converting four sailing line-of-battle ships and five sailing frigates into screw steamers. There can be no doubt—indeed, I give the noble Lord some credit for having had considerable pangs and twinges of conscience when administering to that amount of mischief. But my noble Friend was now in office, and had got hardened, as I believe they do when they remain on the Treasury bench. How did he feel when he proposed the Estimates for the next year? I was in France at the time; but when I read his speech I was glad, out of my regard for him, that I was not in the House to hear him bring forward such Estimates. In proposing, in 1860, his Estimates for the following year, he said he proposed to build 13,216 tons of ships-of-the-line and 13,500 tons of frigates, besides converting four sailing line-of-battle ships and four sailing frigates into screw steamers. He expressed his hope to be able to add to the navy in the ensuing financial year eight line-of-battle ships and twelve frigates. This was proposed by the noble Lord, who only two years before had told the Government not to waste any more money on these enormous ships, that they had had their day, and would no longer play their part in the fate of empires; and he altogether forgot the 140 or 150 gunboats which he had ready to protect our shores. He proposed this enormous waste—I call it so on his own authority—to the House, which of course sanctioned it. In bringing forward the Navy Estimates on the 11th of March, 1861, my noble Friend recapitulated what he had been doing—

"We have expended during the present year, or at least shall have expended by the end of the month, no less than 80,000 loads of timber—more than double the ordinary rate of consumption. . . . . . . We have built during this year 9,075 tons of line-of-battle ships, 12,189 tons of frigates, 4,138 tons of corvettes, 6,367 tons of sloops, 1,409 tons of gun and despatch vessels, and 102 tons of gunboats—making a total of 33,280 tons." [3 *Hansard*, clxi. 1745-7.]

At a subsequent stage of the discussion he showed that we had 17 line-of-battle ships more than all the rest of the world. "We have," he said, "67 line-of-battle ships built or building. France has 37, Spain 3, Russia 9, and Italy 1—making 50." And he exclaimed with much *naïveté*, "So far as large vessels are concerned, we are in a very satisfactory position," making 50 for all the world against 67 of our own. I may say that the Duke of Somerset, speaking on the 1st of May, 1860, made this very remarkable statement—

"During the last eight months more men have been employed in our dockyards than at any previous period of the history of the country. I do not exclude the time of the great war down to 1815; and in this statement I exclude the factories altogether, which form another great division of our naval establishments. I speak of the shipbuilding department only."

I venture to say, looking at the results of that expenditure, looking to the consumption of 80,000 loads of timber in the year, and the employment of so large a number of artificers and men in our dockyards; knowing what every one knew, the tendency to improvement in naval construction—knowing what every one knew of the effects of the shell guns, and knowing as the Government ought to have known the great and absolute risk attending these large wooden vessels, I do not think the history of this country can produce a parallel case of such enormous—I might almost say, profligate—waste of public treasure as is recorded in these transactions. What ought to follow such a state of things? Practically, I know there is no responsibility. My noble Friend is in no danger, nor is the right hon. Baronet opposite in any danger. Tower Hill is abolished, and we have no secondary punishment for Ministers. There is not even a penitentiary; but I think what I have said—the reproduction in so concise a form of what the noble Lord and the right hon. Baronet have contributed to—must tend to produce some remorse in their minds; and what I should hope is this, that they will make a clean breast of it; that my noble Friend, at least, who, since he has been at the Admiralty, has been administering to a state of things altogether contrary, we know, to his judgment, and one which he, with his enlightened knowledge of these things, utterly condemns—that my noble Friend will tell us, with that frankness which becomes his profession, what it is in the constitution of the Admiralty Board that leads the noble Lord, with all his capacity, to administer blindly to a state of things like this, and, with his recorded opinions, to come to the House and ask us to sanction this enormous waste of public money. We know that he has not changed those opinions, but that he has been confirmed more and more in what he before told us. But we can do nothing with statesmen who, if dissatisfaction be shown to them, are most likely to be promoted and receive fresh honours. What is the House then to do with the matter? What is the first deduction it must draw from these facts? Let us resolve that we will never again let ourselves be frightened to do this kind of thing in consequence of the alleged preparations of a foreign Power. This has all been done because the right hon. Baronet, in 1859, chose to throw himself into a panic by a reference to the preparations of the French Government, and because the noble Lord the First Minister has always been keeping the country in a panic on this subject. Never again let the House for a moment be led away by such a representation. It were a useless recapitulation except for the future; but what has been the course pursued by the noble Lord? We have been told year after year, by the noble Lord, that the French were making immense preparations to rival us at sea; and when my hon. Friend the Member for Montrose (Mr. Baxter), my hon. Friend the Member for Glasgow (Mr. Dalglish), my hon. Friend the Member for Finsbury (Sir M. Peto), and others in this House took the trouble to go over to France and visit the dockyards there, in order to bring back the strong assurance that the noble Lord's alarms were groundless, the noble Lord only reiterated more and more his vague and undefined assertions for raising continued excitement and alarm. So late as the 11th of March, 1861, when one of my hon. Friends of whom I have just spoken had taken the pains to show that all he had seen in France demonstrated that the noble Lord's surmises were entirely groundless, the noble Lord at the head of the Government jumps up and says, "Really, Sir, it is shutting one's eyes to notorious facts to go on contending that the policy of France—of which I certainly do not complain—has not for a great length of time been to get up a navy which shall be equal, if not superior to our own." Why, the facts—not French facts, but our own — now demonstrate conclusively that there was not the shadow of a foundation for the noble Lord's alarm. I will give those facts in a concise form, we know that line-of-battle ships have been the sole test of power with maritime nations up to the present time. Well, the French were accused by the right hon. Baronet (Sir J. Pakington), in 1859, and by the noble Lord the Prime Minister always of making undue preparations to rival us at sea in line-of-battle ships. What are the facts? In 1857 the First Lord of the Admiralty (Sir Charles Wood), stated that the French had forty screw line-of-battle ships built and building, while my noble Friend the Secretary for the Admiralty told us in 1861 they had thirty-seven—three fewer in that year than in 1857. We all know now that the panic got up on these stories—which nobody will repeat now, but which have been current for some time past—that the French were making undue preparations for war, were entirely unfounded; and if the noble Lord rises to-night to say a word on this subject, I warn him that the time is past for those vague generalities, under which we are told by an old law maxim fraud lurks. He must deal with the facts and figures I have given. What, then, is the House to do? First of all, then, we must never again allow ourselves to be put into a state of hurry or alarm. We must take warning by what has been done with those wooden line-of-battle ships and not again allow the Admiralty to frighten us with a story of a raw-head-and-bloody-bones somewhere, into permitting wooden ships to be cased with iron, when we know that we had better wait for a few months to have ships constructed entirely of iron. We must do more. I have said there are 106 large useless vessels, and I challenge any naval authority to show that they are not useless. What is to be done with them? What number of those vessels have we in commission? I believe we have about forty-seven in commission, and I have formed an estimate as far as I could of the number of men that are probably employed on board those vessels, or in the contingents ashore necessary to be kept up for manning those ships, and I am sure I am very much under the mark when I say that there are 30,000 seamen employed in those useless ships of war. Let it again be understood that these ships are not merely useless, but they would be positively dangerous to you if employed in time of war. I venture to say that a great inventor of artillery, like Mr. Whitworth, would desire nothing more than that an enemy should give him such a target as a wooden line-of-battle ship or huge frigate with 800, 1,000, or even 1,200 men on board—the vessel being composed of combustible material, with that number of men crowded into the smallest possible amount of space, and with thirty or forty tons of gunpowder under their feet. What artillerist could desire anything better than that an enemy should place himself in such a position to be destroyed? You know that all this is true. Can it be for the advantage of the country that we should keep 30,000 men in these useless vessels? Our ships of war existed for purposes of war; but if war broke out, could we employ one of those great wooden ships? I say you would not dare to send those wooden ships to the coast of America if we were at war there. But that is not all. Your security, your honour, your vital interests are bound up in this question. Is it fair to your naval officers and seamen that they should be placed in such a position, that they must be doomed to certain destruction in performing their duty, or must accept the dishonourable alternative of retreating before the enemy? I am not so technically informed as to be able to speak of my own knowledge, but I speak always from good authority, and I am told that the drill, the discipline, and experience which sailors are getting on board these line-of-battle ships is not such as to qualify them for the duties they would have to perform in case of war in another class of ships. In no point of view can I see that it is for the interest of the country that these enormous ships should be kept manned in this way. If they are useless, if they are dangerous, then, is there not the financial aspect of the question to be considered? Is the country in such a state as to be inclined to look on calmly and contentedly while this House is worse than wasting millions of money, expending it in a manner which imperils our honour and our safety? Will that meet the approbation of the country, and is not something more due to our constituents? We have heard what a noble Lord, a Conservative Peer, who has been First Naval Lord of the Admiralty, and is well versed in nautical matters, in another place has said. I have read that noble Lord's speeches upon other occasions, and although upon no other subject should we be likely to agree, yet upon nautical questions I have perceived that that noble Lord always speaks with the frankness of a sailor, and with a good deal of the sagacity of a statesman. After that noble Lord has declared that we have voted an excessive number of men, I put it to my hon. Friends around me, could we have a more severe rebuke administered to us? We are called, *par excellence*, the Reform party, and sometimes the party of financial reform. We represent generally the trading and manufacturing interests as contrasted with the territorial interests which are supposed to be represented by hon. Gentlemen on the other side of the House. We know something of the arduous care and prudence, the due regard to ways and means which are necessary to our constituents, to enable them to apply their industry, and to compete with the rest of the world in the various pursuits in which they are engaged. Economy and frugality and a due attention to the various changes taking place in the mechanical and scientific world are among the first element of their success. Are we then doing justice to such constituents when we allow a Government calling itself a Reform Government and one of retrenchment to bring forward a Vote of 76,000 men, when it is demonstrated that they cannot be employed except with great danger to the country, and when we hear that Vote condemned by a representative of the higher orders of the aristocracy? What can come of such a state of things? Will not these facts sink into the hearts of the rank and file of the £10 householders, the industrious and struggling class which constitutes the strength of our electoral body? Are you not ashamed of it, as a mere question of statesmanship? I say that a statesman who pursues such a policy—who says he will have 76,000 men—that he will not reason or argue about the number, but would have 76,000 men because we had as many the year before—I say such a statesman must be as obsolete and as unseasonable as the wooden vessels themselves. I will make an appeal to hon. Gentlemen opposite. You represent the territorial interest, and it is generally attributed to you that you have rather a desire to keep up these great establishments. It is generally attributed to you that you like to see the services well sustained; but can it be for your interest, can it be for the interest of any body so largely responsible as you are for the good government of the country—and I warn you that you have worse times to come than you have at present—can it be your interest to maintain such a state of things? I am not speaking now in the spirit of one bearing hostility to the navy. Liberal politicians have always avowed an attachment to the navy as contradistinguished from the army. We have no traditions hostile to the navy, which has never been employed by the Government for repressive purposes in internal struggles in this country. I say now, as I have said before, I would vote any sum to make these islands invulnerable by sea, but I shall never recognise the necessity of defending the country inland by means of fortifications. Can any party in this House wish to continue such enormous waste of money? Understand me, I do not mean to say that every one of these forty-six large vessels should be at once put out of commission. I know that is impracticable, but what I do say is that, under all the circumstances, I consider the proposal of a Vote of 76,000 men—a large proportion of whom are to be employed, as it is demonstrated they must be employed, if at all, in this useless manner—to make no reduction in this large Vote, is I think an insult and an outrage upon the common sense of the country. I appeal to both sides of the House, even yet before this measure passes into law, to reconsider the matter, taking into consideration the condition of the country, and the facts and merits of the question, and I think you will find that, with due regard to the honour and security of the country, and advantage to the best interests of the State, you can make a considerable reduction in the number of men which has been proposed to you for the service of the year.

Lord ROBERT MONTAGU said, that while he agreed with much that the hon. Member had said, he must, he confessed, allow that the issue which had been put before the House was very indistinct, because the hon. Member had varied it from time to time during his speech. The issue which he had at first put before the House (and again at the end of his speech) was that the number of men which had been voted (76,000) was far too large. He had argued that, on the ground that iron ships required fewer men to man them, while iron ships were the only efficient ships in war. But it would be a very courageous Government who would determine to maintain only iron ships, and sweep away every wooden ship from the navy. They had but eleven iron ships, and was that number sufficient to protect all their shores—to defend the colonies—to cruise in enemy's waters—to chase their merchant ships and make prizes? Would they even be sufficient for the service of the Thames and Severn alone? In such an issue he could not agree. Soon, however, the hon. Member changed the issue; it then became a party matter; the question then was, which side of the House should be most blamed? and he asserted that hon. Members on that (the Opposition) side, represented the territorial interest and encouraged a lavish expenditure. That taunt he (Lord R. Montagu) must retort on the hon. Member. Was the hon. Member ever present in Committee of Supply? Did they ever there obtain his support when they sought to reduce the expenditure? What was the appearance of the House on those occasions? They saw opposite to them (except on the Ministerial Benches themselves) nothing but empty seats and the green cloth shining in the gaslight. When did hon. Members ever bring forward financial Motions from the opposite side of the House? except, indeed, the Motion of the hon. Member for Halifax, last year, on which he made a speech, forsooth, to encourage lavish expenditure and a system of intervention in other countries. And when they on that side of the House had brought forward financial Motions, did they ever gain from hon. Members below the gangway opposite that support which they might have calculated upon in fulfilment of all their profuse promises? From that issue, also, he professed his dissent. The next issue, however, was the true one. The hon. Member desired that when they built ships, they should construct them after a full investigation of all the latest improvements which science had furnished. Last year he had moved for a Return of the inventions which had been sent in to the Admiralty, with the dates when they had been sent in; when they had been examined and reported upon, and the nature of that report. His object was to have in evidence that which every one knew—namely, that inventions were allowed to remain, among the dusty archives of the Admiralty, unexamined, and unattended to; while only the usual, formal, official answer was returned to the inventor. His object had been defeated by the mode in which that Return had been made. The hon. Member for Rochdale had alluded to Captain Coles' cupola ships, and said that the Government, in adopting them, had "shown a true patriotism." But what was the true state of the case? Captain Coles made this invention in the year 1854. It had been favourably reported upon by the Committee in the Black Sea, and recommended to the immediate attention of the Government; yet, even then, it had been laid aside and neglected, until the achievements of the *Monitor*, in 1862, had terrified the country and called the invention into remembrance. The fact was, that the Admiralty were always slow in taking advantage of the various inventions and improvements which might have been made. When screws were invented, they were instantly adopted by the whole merchant navy, but were for many years utterly neglected by the Admiralty; until, at last, the matter was so severely pressed upon them, that they were forced to convert many ships into screw ships. There was then a reconstruction of the navy. A few years afterwards, another reconstruction of the navy was commenced by the right hon. Baronet the Member for Droitwich. He had to do that, because his predecessors had neglected it; and therefore the hon. Member for Rochdale should not have blamed him for the expenditure which necessarily resulted. There ought to be another reconstruction, not of the navy, but of the Admiralty itself; for the Admiralty not only laid by many inventions which they received, but they also adopted others without previous trial. Thus, until after the *Warrior* had been launched, no experiments were made on *Warrior* targets. When these experiments were made, it was discovered that the plan of "tonguing and grooving" was a bad way of laying on the iron plates; so that an additional expense of £10,000 or £12,000 became necessary on each ship, to perform the required alteration. Those experiments ought to have been made beforehand, and then much outlay would have been saved. The very constitution of the Admiralty was bad. It consisted of Lords, a Controller, and a Secretary, the jurisdiction of whom was so ill-defined that it was impossible to know where the jurisdiction of one began, and that of another ended. The Lords were guided by the Controller; and yet the Controller was under the Lords. The Secretary was under both; and yet the Secretary, in Parliament, overruled both Lords and Controller; and each escaped censure by transferring it to the back of his brother. There was another improvement which had been urged by Admiral Elliott, in his evidence before the Admiralty Committee, in 1860—namely, that there should be appointed a school of shipbuilders, trained in the science of naval architecture; a body of scientific men to stand between the Government — who knew nothing of naval architecture, and were by no means scientific—and the body of contractors with whom the Government dealt, and who possessed both these qualifications. Before he sat down, he wished to allude to the alleged decrease in the Naval Estimates. That decrease was made chiefly on the Store Vote. Yet, to prove how illusory was this decrease, he would quote the evidence of the head of the Admiralty, the Duke of Somerset, before the Committee of Public Accounts, last year. It was then proved that—

> "Parliament pressed the Government to cu down the Navy Estimates, and the Vote that first goes is generally the Store Vote. But although the Vote for the quantity in store is reduced, the expenditure is very apt to go on very much the same; so that the result of that cutting down is simply to run upon the reserve for a time. . . . . . . In fact, as matters stand at present, the House of Commons may very easily deceive itself with the idea that it is effecting economy when, in fact, there is no economy being practised, but only the stock being run down."

MR. LINDSAY said, he wished to put a question to the noble Lord with regard to the position of the masters of the Royal Navy. In 1846 an Order in Council was passed recommending that masters should be promoted for distinguished services. During the Russian war their services were of great value in conducting the fleet through the difficult navigation of the Baltic and the Sea of Azov; but not a single master was raised to the rank of commander. He did not ask any increase of pay for these gentlemen, but he did think that officers who had served their country so faithfully and so well should have some improvement in position and in rank. One suggestion was, to abolish the grade of master, and require every officer to qualify himself for the rank of captain by four years' practical experience in navigation. However that might be, he hoped the noble Lord would do something for the masters of the Royal Navy.

LORD CLARENCE PAGET: Sir, in answer to my hon. Friend, I may say that the Admiralty are perfectly aware of the great merits of the masters of the Royal Navy. Various schemes have been put before the Department and considered with a view to improve their position, and the whole matter was gone through lately with great care. Among other proposals, as my hon. Friend says, was one to do away with the grade of master, and to merge these officers into commanders and lieutenants. But we found that there was a general feeling adverse to this alteration, and under these circumstances the Admiralty have under consideration a scheme which will not be many weeks before it is out, and which, without doing away with the grade of master, will put these officers into a position commensurate with the honourable and responsible duties which they have to perform. I now turn to the remarks which fell from my hon. Friend the Member for Rochdale. I am prepared for an annual scolding from him. It generally comes in the month of June. This year it has come earlier; but the season itself is somewhat earlier. My hon. Friend has spoken of the opinions which I hold. The opinions I hold are those which I have always held. For a great many years I have been of opinion that line-of-battle ships are not vessels destined to play any great part in any future war; and I have stated that opinion in this House. My hon. Friend now takes me to task because, holding that opinion, I am a Member of a Government which has gone on with the construction of line-of-battle ships. Now, let me state, in passing, that my hon. Friend is utterly and entirely mistaken in his views as to what has been done by the Government in covering wooden ships with plate armour. The present Government have originated nothing except the five ships—iron-cased wooden ships—of the *Royal Oak* class, one of which we hope will be ready for sea next month. Those are the only ships which would come under the hon. Member's description, and I admit that they were laid down for line-of-battle ships, but before they had made any considerable progress Her Majesty's present Government thought it right that they should be adapted to carry armour-plates, with the view of giving the country an additional number of armour-clad vessels without so heavy an additional expense as we should otherwise have had to incur. I have been trying to discover in the striking speech of my hon. Friend—for every speech he makes in this House is always thrilling and striking—any recommendation as to how we should improve matters; but I have been trying in vain. Does he want us to reduce the number of men? After going into a statement of the number of iron-plated ships and obsolete ships of the line now in the British navy, he said he did not know what to advise; but then he added, "Reduce your men." He says we might reduce the number of our men because we had 30,000 men in ships which we could not dare to take into action. This broad statement of my hon. Friend was listened to with some surprise in this House, and, no doubt, it will attract considerable attention out of doors; and I would ask him to be a little more careful before he does make such statements. I understand the doctrine of my hon. Friend and of a noble Lord in another place to be this:—That our iron-plated ships will not require so many men as the ordinary ships of war; but my hon. Friend is mistaken in supposing that we have 30,000 men shut up in the large vessels to which he referred. The number in first-rates is 1,086; in second-rates, 5,790; in third-rates, 2,300—giving a total of 9,176, instead of 30,000. And I can tell the House this, that whether you have armour-plated ships or ships of another description, the number of men in the navy will be very little affected, because the great mass of your men are employed in small ships on distant stations, protecting your colonies and looking after your commerce, and therefore what you have in those heavy ships is really a very small portion of the whole number of men employed. But my hon. Friend says, "Why do you not take the example of the Americans?" Now, Sir, if my hon. Friend knows America as well as he professes to know it, he ought to be perfectly well aware that the Americans were the very last to take up the armour-plated vessels. Instead of being an example to us, the United States resisted the armour-plated vessels; and it was not till they saw that the South were building them that the Northern States commenced to adopt them. It has been said that the Americans never built line-of-battle ships; but they built frigates which were line-of-battle ships in disguise. These ships were called frigates, and the object of so styling them was, that in case of war against, say, this country, the Americans might be in a position to say that one of these frigates had been able to cope with a British line-of-battle ship. That was what they said in former wars—it is an old story. It is not my business to defend the Government in which my right hon. Friend opposite (Sir John Pakington) was at the head of the Admiralty; but I think it right to tell my hon. Friend the Member for Rochdale (Mr. Cobden) that he is under an erroneous impression when he says the Committee of 1858 did not recommend the construction of large ships. My hon. Friend says that Committee told you the French were doing nothing, that there was no necessity for exertion on your part, and that if the Government had taken up the Report of that Committee, and acted on it, they would not have put the country to expense. Now, here is a paragraph in that Report, which states—

> "It will be seen that France, since 1852, has increased her steam line-of-battle ships from two to forty, of which there are five building and four converting, and that this has been effected by the conversion of twenty-six sailing ships and the building of fourteen screw ships. England in the same time has increased her line-of-battle screw streamers from seventeen to fifty, of which there are ten building and seven converting. This has been effected by the conversion of twenty-seven sailing ships, and the building of twenty-three as screw ships."

From that statement it appears, that while France had increased the number of her line-of-battle ships from two to forty, England had increased hers from seventeen to fifty. I ask, is not that a statement which would justify any Government in undertaking the construction of large ships? But the next paragraph states—

> "The addition, therefore, to the French navy in steam line-of-battle ships, complete, building, and converting, is thirty-eight, and of England thirty-three, since 1852. France has at present four iron-sided ships (*frégates blindées*) in course of construction, as before stated. The steam frigates of France, screw and paddle, have been increased from twenty-one to forty-six; and England has increased her steam frigates, screw and paddle, from twenty-three to thirty-four, and her block-ships of sixty guns each from four to nine. It is necessary that we should notice this superiority in steam frigates on the part of France over Great Britain, which, in the event of hostilities, might form a serious detriment to this country, especially in relation to the interruption of commerce."

I say that any Ministry who did not act on that statement, and did not at once set about putting the country in the position she ought to occupy in respect of her navy, would deserve to be sent to the Tower or to that Penitentiary into which my hon. Friend wants to put me. I maintain, therefore, that the Government of that day, as well as the present Government, were right in making great exertions towards putting the navy in an efficient state. As to what my hon. Friend has said on the subject of our delay in the adoption of iron-plated vessels, I must remind him that I came down to the House for several years in succession, and lifted my voice in favour of armour-plated vessels; but all that time my hon. Friend was silent. However, I do not hesitate to assert that the course taken by the Government, whether the late Government or the present, has on the whole been the wisest that could have been adopted for the safety of the country. My hon. Friend says that periodical panics occur by which Parliament is frightened out of its propriety, and that, after all, they turn out to be bugbears. If that is the case, why did not hon. Members who now object to what the Government has been doing within the last few years come down to the House and ask for a yearly statement of the stocks in hand and the vessels which the Admiralty were building? Until I took the liberty of laying on the table an annual statement of your property in ships, and of what you were building, there was, as far as I am aware, no detailed information on these points supplied to the House. Why did not my hon. Friend come down and ask how we stood? We never should have had those panics if this statement had been put upon the table, because I believe the country would not have been allowed to be so behind-hand as she was in the construction of ships. My hon. Friend has asked the House to reconsider the question of the number of men. Now, for many years we were in a state of alarm as to the manning of our navy. We had ships in our ports month after month waiting for men, and my right hon. Friend opposite, only three years ago, was obliged to come down to this House and propose to offer what to men in the position of sailors is almost a small fortune—a £10 bounty; and now, having got them together, it would be a most unwise thing to disperse them again. The men we have now are almost all continuous service men; and if you were to break faith with them by listening to the startling suggestion of my hon. Friend, depend upon it you would never get them back again. The noble Lord the Member for Huntingdon (Lord R. Montagu) says that the present Government are not making any experiments with a view to getting the best armour-plates. If he had turned round to my hon. Friend the Member for Wakefield (Sir J. Hay), he would have told him that we are spending very large sums of money in such experiments. Therefore it is not a just charge to make against the Government. I sincerely trust that the House will not depart from the Estimates which we have laid before them. It may be possible, in course of time, to reduce our force by not filling up vacancies as they occur, but now that we have for the first time got a standing navy, suddenly to make a great reduction in it I am positive would be a most suicidal step.

Sir JOHN PAKINGTON:—Sir, I am sure that the House will grant me its indulgence for a few moments while I make a reply to a most unexpected attack which has been made upon me by the hon. Member for Rochdale. I came down to the House this evening expecting to hear one of those verbal duels between the two ends of the united party opposite to which we are so much accustomed; but I had no reason to suppose that I was myself to be made the subject of attack. [Mr. Cobden: Oh, oh!] I know of no reason for the murmurs of the hon. Gentleman opposite. I say, I came down to the House quite unaware that my administration of the Admiralty—which terminated four years ago—was in its details to be made the subject of a very violent attack by the hon. Member for Rochdale, and that without notice of any kind. If the hon. Member for Rochdale had given me the slightest notice that he was going to make any reference to my administration, I might have had an opportunity of looking at the papers, which would have refreshed my memory.

Mr. COBDEN:—I beg to remind the right hon. Baronet that on the last occasion when the affairs of the navy were being discussed I wrote him a letter to tell him that I wished him to be in his place, as I intended to take notice of matters in which he was concerned.

Sir JOHN PAKINGTON:—That is perfectly true, and it is also true that that last occasion was last Session. I never before heard such an answer. In the course of the Session of 1862 the hon. Member wrote to me to say that he would bring forward the subject of the navy, and that in so doing he would refer to my administration. I ask, whether that is any explanation of his having now made an attack upon my administration without any notice to me beyond that included in the terms of his notice, from which I could not infer more than that he was going to refer to the Navy Estimates of this year, and to the conduct of the present administration. I heard, I must confess, with some surprise the speech of my noble Friend opposite (Lord C. Paget), in which he said that the hon. Member for Rochdale had made an "admirable speech." I cannot share in paying that compliment to the hon. Member. He has gained a great and well-merited reputation —but having heard him speak last Session, and also this Session, upon naval affairs, I must say, that if I might venture to offer him advice, it would be that in future he should avoid the subject altogether. I never have heard the hon. Member address the House on naval matters, including the occasion on which he delivered his "admirable speech," as my noble Friend calls it, without being reminded of the words of the well-known song—

"'Tis a pity when charming women
Talk of things that they don't understand."

I think these words apply remarkably to the hon. Member's speeches upon the navy. My immediate object, however, in rising, is to repel the attack which the hon. Member has made personally upon me, and I have no hesitation in saying that unless it be a charge against the administration of my Colleagues and myself that we did not know in 1858-9 that which was not known to anybody until several years afterwards—unless that be a charge, I am free to say, and I put it to the House, whether the hon. Member has made any single reference to me that is not utterly erroneous and founded in complete misconception. In order to make his attack more pungent, the hon. Member revived an expression which really I hoped was done with in this House. He charged me with having boasted that I had "reconstructed the navy," and then he proceeded to attack the mode in which I carried out that reconstruction. I beg, however, to assure the hon. Member that I never used that expression of reconstructing the navy. As far as my recollection goes, that expression occurred in the Queen's Speech in 1859, and I admit that, as a Member of the Cabinet, I was responsible for a share of composing that Speech. But that was not the sense in which the hon. Member brought the phrase forward to-night; he brought it forward as a personal matter to embitter his charge of maladministration of the navy, and wanted to make out that I had made a boast, which I never made, that I had "reconstructed the navy." I repeat again that I never made any such boast, and in the discharge of my duty in this House I always endeavoured not to speak in a boastful spirit. The hon. Member says that successive Governments—referring, of course, to the Government which preceded the last—committed a great absurdity in going on building the obsolete class of wooden vessels. How did he support that argument? I cannot suppose that he meant anything so unjust and absurd as to charge the Government of the Earl of Derby with building or launching wooden vessels simply because we did not know what nobody then knew—because it was subsequently discovered—that this class of vessels would be subsequently superseded by the discovery of iron ships; and therefore, the only way in which I can explain the meaning of his accusation is by what he said on the subject of the improvement which had taken place in the construction of shells. But does he really mean gravely to argue in this House that the navy of England was to be withdrawn from the seas because an improvement had taken place in the construction of shells? His argument really amounts to this:—Shells have been improved, and to such a point that they will set wooden ships on fire; therefore, the navy of England ought to have no wooden ships afloat. But at that time nobody had any idea of any other but wooden ships; we still talked of the "wooden walls of Old England;" armour ships had not yet been tried, and therefore to say that we ought not to have gone on sending wooden ships to sea is a charge so unfounded that I do not believe it will receive any support either in this House or out of it. The next charge which the hon. Gentleman brought against us is equally unfounded, and I put it broadly to the hon. Gentleman that he has no right to make such charges unless he has really taken some trouble to inform himself on the subject. He referred to the Treasury Minute to which the noble Lord has also referred. The hon. Member said that the drawing up of that Minute by the Earl of Derby's Government was a very good party move. I repudiate the charge, and I say that a charge more unfounded was never made in this House. At the time the Committee was appointed which drew up that Minute it was a Secret Committee. It was appointed as a mere matter of detail; it was a departmental committee, solely appointed to draw up a report for the instruction of the Government. Under these circumstances I found it my duty, in considering the state of the navy in 1858-9, and I proposed to the Cabinet, that we should have a very large addition to the amount of the Votes to be brought forward for 1859. It was the feeling of the Cabinet that we should not be justified in calling upon Parliament to vote Navy Estimates which were of an almost unprecedented character for a time of peace without the clearest grounds for doing so. In the arduous position of First Lord of the Admiralty I had no time to make inquiry and to draw up the papers which were required, but it was the opinion of the Earl of Derby's Government that inquiry had better be made into the whole of the circumstances. A paper was drawn up by a Committee solely for the guidance of the Government, and I can state broadly to the House that it was never intended that paper should go beyond the Cabinet which ordered its composition. There was not slightest intention of making it a Parliamentary paper or of making it public, and I ask whether the hon. Gentleman is justified now in saying that it was a good party move? Since the hon. Gentleman has spoken, I have been able, by the assistance of a friend, to refer to

Hansard, and I can explain to the House how it ultimately became a public paper. It was in consequence of one of those Motions which my noble Friend the present Secretary to the Admiralty was in the habit of making when he sat on this side of the House, and which may account perhaps for the seat he now occupies. On the 11th March, 1859, my noble Friend brought forward a Motion, and to his speech it was necessary for me to reply—

> "Impressed," I said, "with the deep sense of our responsibility in the proposals which it has become my duty to submit for the increase of the navy, and impressed with the conviction that the House had a right to expect the fullest possible explanations of the rapid increase of late years of the expenditure for the navy, Her Majesty's Government thought it desirable to appoint a confidential Committee, consisting of certain Members of the Government, in order to investigate what were the causes of that great increase." [3 *Hansard*, cliii. 51.]

The fact of my using that language very naturally led to the remark from some hon. Member that I had referred to a paper which was not in the possession of the House. I immediately said that I had no objection to make that paper public; and under those circumstances, and those circumstances only, was that memorandum published, which was made solely for the guidance of the Government; and, so far from being made as a party move or with a party object, was made without any idea that it would ever be laid on the table of the House.

The hon. Gentleman accused the late Admiralty, as he did the present Admiralty, of building screw line-of-battle ships, and leaving sailing vessels to rot. Twice has he used that expression, and in the interval between the two occasions he has been guilty of the inconsistency of referring to a number of instances since the year 1850—under the Administration of the present Secretary of State for India, then First Lord of the Admiralty, under the Earl of Derby's Government, and under the Administration of the present First Lord—of sailing vessels being converted into screw ships. The two statements are perfectly inconsistent, because if we were converting sailing vessels into screw ships, we were not leaving the sailing ships to rot. We were doing no such thing, and it is one of those misstatements of which the hon. Gentleman's speeches on naval affairs are uniformly full. Under the Earl of Derby's Administration it was our constant and anxious desire to find out what sailing ships there were which were good enough to be converted. [Sir Charles Wood: And which were of proper shape.] As my right hon. Friend opposite reminds me, it would have been waste of money to convert many old ships; but where the ships were sound enough, and where the shape was good enough, I believe, under his Administration, and most certainly under mine, those ships were converted into screw ships. The hon. Gentleman then went on to refer to the statement which I made and the plan which I proposed in 1859, and he used the expression that I began "frantically" building line-of-battle ships. Here he has been led into a positive misstatement of fact. I have had time to refer to the facts, and I confess that when I first heard him make use of the expression I was under the impression, that when I was First Lord, I had not ordered any new line-of-battle ship to be laid down, but I find that I did. In 1858 there were three laid down, but the House will recollect that in the year 1858 line-of-battle ships were the navy of England, and that armour-plated ships had scarcely been thought of. In March, 1859, the *Bulwark* was laid down, but that was the only new line-of-battle ship which was laid down. The hon. Gentleman then went on to say that this step of mine had led to the waste of £10,000,000. My experience in this House is not very short, and I think in the whole course of it I never heard so wild or so untenable an assertion. I really do not know what it means. The hon. Gentleman says this step of mine—the frantically building ships which I did not build and which I never ordered the building of—has led to the waste of £10,000,000. By whom and in what manner? I am afraid the hon. Gentleman is in this position, that he has rashly and lightly made charges which are utterly unfounded, and which he has no means whatever of substantiating. What were the circumstances under which I brought forward the Navy Estimates of 1859? Here again, no thanks to the hon. Gentleman, sufficient time has elapsed to send for a volume of *Hansard*. Perhaps the House will allow me to read a short extract from my speech of that year—

> "I have shown to the Committee, that while France is nearly upon an equality with us in line-of-battle ships, she now very decidedly exceeds us in frigates. When we discovered our inferiority, the Government felt, and I believe the Committee also will feel, that we really had no option but to endeavour as soon as possible to redress that in-

feriority. Therefore, the plan which the Government asks you to enable them to carry out is this." [3 *Hansard*, clii. 909.]

I then stated the details of the plan. The easiest kind of wisdom is to be wise after the event. It is very easy in 1863 to blame men for not knowing in 1859 what we know in 1863. In 1859 England had never heard of an armour-plated ship. The wisest men only spoke of it as an experiment, the success of which was wholly uncertain. But, when we felt it our bounden duty to make that anxious experiment, what were the terms in which I asked the House of Commons to consent to an expenditure for that purpose of £700,000? I said, "I shall not conceal from the Committee that they will be the most costly ships ever built for the British navy." There was no misleading the House in that—

> "But still, assuming, as I have no doubt, that our plans will receive the sanction of Parliament, we have resolved to lose no time in building two of these vessels (the *Warrior* and the *Black Prince*). I am bound to say, also, that we feel it no less our duty to throw away no chance whatever in endeavouring to make these ships as effective as possible."

Such were the spirit and tone in which, in the year 1859, I asked the House to try the experiment of spending £700,000 on two armour-plated ships. But I felt it was an experiment. I felt that no living man could tell us whether the *Warrior* and *Black Prince* would be fit to go to sea when they were built. But when that experiment has been successful, when it is found that these ships can go to sea, to come down and blame the Government who made the proposal as an experiment, and, while it was uncertain, neglected nothing to maintain the wooden navy equal to what we possessed in former years, and adequate for the grandeur of the country, is ungenerous and unworthy of an hon. Gentleman with the high reputation which attaches to the hon. Member for Rochdale. I am confident that, be he who he may and sit where he may, every hon. Member is anxious to maintain the power of England; and I feel as confidently as ever that the power of England and the naval power of England are convertible terms; and I say that any Government would be deeply to blame who neglected means within their power to keep the naval power of England in a state of efficiency. The hon. Gentleman concluded his speech by appealing to my noble Friend and myself as to whether we did not feel remorse at what we have done. I hope I may never live to feel remorse for anything greater than that which the hon. Gentleman supposes I ought to do for the part which I took as a Member of the Earl of Derby's Government in strengthening the navy of England. I feel pride in what I did. We may have made mistakes, but we threw away no care, we spared no pains, we took bold steps, we made bold proposals, and happily, though the result was uncertain at the moment, those proposals have turned out successfully. I am free to say, therefore, as far as I am concerned, that a more unfounded attack was never made than that to which I was exposed by the hon. Gentleman to-night, and, instead of feeling remorse, as long as I live I shall reflect with pride and satisfaction on the part I took in 1858-9.

Sir MORTON PETO said, in the few remarks he had to address he should rather refer to the future than to the past, for that was the question really before the House. Some of the main points in the speech of his hon. Friend the Member for Rochdale had received no reply. His hon. Friend had stated that there were in the navy 66 line-of-battle ships and 40 large frigates, making in all 106 vessels. Now, the question they had to consider was the policy of keeping that large number of vessels in commission in the present state of naval architecture, when not one of them could be matched against an iron-plated adversary. The must also look to the question as it affected the number of seamen in the service of the country—the fact being that iron-plated ships did not require nearly so many men to work them and their guns as wooden vessels. The number of seamen voted that year by the House was 76,000 men. There were, in addition, 14,000 naval reserve force, 8,000 coast volunteers, and 8,000 coast guards, making a total of 106,000 men. He put it to the House, whether that number of men was not out of all proportion with the requirements of the country under the altered aspect of naval warfare. There were only 65,000 seamen during the Crimean war, with a very small reserve. The Naval Commission only recommended a naval force of 56,000 men to be kept on foot, with a reserve of 30,000. They had now 46 ships in commission which carried 2,600 guns. On the average 12 men were required to work each gun, which represented a force of 31,200 men, so that his hon. Friend was not far wrong in the number of men who he said were now employed in these ships. The right hon. Baronet said that in 1859 England had no idea of such a thing as an armour-plated ship; but the very Minute which had been drawn up for the information of Lord Derby's Government referred to the irresistible qualities which iron-clads, then in course of construction in France, were stated to possess.

Sir JOHN PAKINTON: I said that in 1858 England had no idea of armour-plated vessels; but I myself proposed the construction of two in 1859.

Sir MORTON PETO said, he was strongly of opinion that they ought to pause before they proceeded much farther. The *Warrior*, the *Black Prince*, and the *Resistance* had been referred to with satisfaction; but the *Warrior* had already shown some defects. It had been stated in an intelligent Report that the bolts of the *Warrior* and *Black Prince*, which fastened the armour plating, became loose. Therefore, they would hardly be justified in proceeding further without an extensive and careful trial. Mechanical engineers had foreseen from the beginning, that if you placed on the outside an 18-inch wooden backing, and on this 4½ or 5-inch iron plates, and simply fastened them with screws driven through the backing, the whole weight would hang on the screws, and that these screws would be likely to get loosened whenever a strain came on the vessels so constructed. The experiments which had been made proved the accuracy of that opinion. He had no doubt that the problem as to the best mode of fastening these plates might be solved so as to make the iron-plating as rigid as any other part of the vessel. An important report of Admiral Robinson, as to the comparative value of iron and wooden ships, had been placed in the hands of Government that morning, and he hoped that hon. Members would consider it with attention. The noble Lord at the head of the Government gave a pledge that the House should have ample time to discuss the question; and considering the apprehensions justly entertained in consequence of the experiments already made, he hoped that full time for consideration would be given.

Mr. BENTINCK said, he did not propose to take any part in the triangular duel between the hon. Member for Rochdale, his noble and gallant Friend opposite, and the right hon. Baronet the Member for Droitwich. He could not join in the laudation which his noble and gallant Friend had passed on the speech of the hon. Member for Rochdale, for he must say that his noble and gallant Friend and the right hon. Baronet the Member for Droitwich had very much the best of the argument. The hon. Member for Rochdale was apparently driving at one object, that of inducing the House to reduce the number of men already voted. But he had been unable to detect any tenable arguments in favour of his suggestions, and it had been shown that his charges were perfectly unfounded. He could not agree with the hon. Member in thinking that any argument for reducing the number of seamen was to be found in any forethought shown by the Northern States of America, which appeared to be within a few months, not to say a few weeks, of a national bankruptcy. The hon. Member added that the Admiralty was an old offender, and that he objected to the constitution of the Board. It was very remarkable that that question had been again and again brought before the House, and yet this was the first time the hon. Member for Rochdale had uplifted his voice against the constitution of the Board of Admiralty. The hon. Gentleman refrained from making any attack when it might have been effective. The hon. Member charged his right hon. Friend (Sir John Pakington) with having led to a waste of £10,000,000, which, by a singular coincidence, was about the sum the hon. Gentleman had been assisting his right hon. Friend the Chancellor of the Exchequer in wasting during the last five or six years. Some hon. Members opposite had given the House the result of their observations in regard to what was going on in the French dockyards. He also had visited all the French dockyards, and he defied any one to see what was going on there without feeling that any Government in this country that neglected to maintain the English navy in the highest state of efficiency would deserve to be sent to Tower Hill. The hon. Member complained that the noble Lord at the head of the Government had told the House that the state of the French navy was such as to render it incumbent on the House of Commons to vote money in order to place the navy of this country in a more efficient state. But that speech of the noble Viscount's was re-echoed not only by that House but by the country; and if anything had contributed to what he would call the well-deserved popularity of the noble Viscount, it was his determination to maintain the naval defences of the country. The hon. Member for Rochdale complained that the Admiralty were maintaining 30,000 men in useless ships. The Secretary to the Admiralty had swept away that argument to the extent of two-thirds, by showing that only 9,000 sailors were employed in the class of ships alluded to. Did the hon. Member mean that these 9,000 men were to be dismissed the service until the Admiralty had got iron-sheathed vessels in which to employ all the men voted in the Estimates? Did he propose that until that time arrived they were to have no ships on foreign stations, and take no thought for the protection of our foreign commerce? Or did the hon. Member think that he could make a sailor in a day, or a month, or a year? Would he cut them adrift because he had not got iron ships to put them into; and then, when the ships were ready, would he expect to get them back again? That was the baneful system of which the hon. Member and his friends were the promoters. He would dismiss seamen to-day, and then, when he wanted them to-morrow, they would cost him twelve times as much. The hon. Member's cry for economy always came a day after the fair, for he never warned the country against the extravagance of the Administration until the Estimates had been voted. The hon. Member, then, resorting to his old platform rhetoric, asked if they were doing justice to their constituents by voting these large sums. But had it ever occurred to the hon. Member that the very existence of British commerce was dependent on the supremacy of the British navy? The hon. Member was quite mistaken in supposing that hon. Gentlemen connected with the agricultural districts were intent on maintaining taxation at the highest possible point. On the contrary, there was no class who would more gladly join him in diminishing the expenditure, if it could be done without impairing the efficiency of the national services. But the worst of all economy was that which was always reducing to-day in order to increase to-morrow. It was because they dreaded the economy which the hon. Gentleman recommended, and looked upon it as a source of extravagance, that they deprecated his suggestions. The hon. Member for Finsbury had stated that the number of men employed in the Crimean war was much less than the number of men now employed, including the Naval Reserve. But he (Mr. Bentinck) differed entirely from the hon. Baronet in the conclusion which he would draw from that circumstance. For what would have been the consequence had they had the same number of men employed during the Crimean war that they have now? If they could at that time have manned such a fleet as they could now, the Russian war would have been brought to an end in three months without the loss of a man. Did hon. Members doubt the fact? If, instead of playing with blockades, they had really blockaded the Russian ports, Russia could not have attempted to continue the war. The sham blockade which they carried on during the Crimean war was worth £26,000,000 sterling to Russia, and, in point of fact, left her the means by which she was enabled to carry on the war. The number of our sailors, therefore, so far from being a source of extravagance, was a true economy. Assuming that the object of the hon. Member for Rochdale was to induce the House to reverse the Vote as to the number of seamen to be furnished to the navy, he trusted the House would not listen to any such suggestion, for, in his opinion, it would be not only unwise, unjust, and unpopular, but a wasteful expenditure of the public money.

MR. C. BERKELEY said, that he sincerely hoped the Government would not be induced to diminish the number of men, as it was his opinion that the number voted was not greater than necessary. The hon. Member for Rochdale was quite mistaken in stating that there were 30,000 employed in useless wooden ships. The facts were these:—There were fourteen line-of-battle ships, with an average number of 800 men—making, in all, 11,200. Then there were nine block ships, but the whole of them, he believed, with short complements, not exceeding 400 men each, which would make a total of 3,600 in those ships. Then there were twenty-three frigates, with an average crew of 300 each, making 6,900. Therefore, the total number of men employed in those forty-six vessels was about 21,700, not including the crews of iron vessels.

SIR JOHN PAKINGTON: I wish to observe that with respect to an observation made by the hon. Member for Rochdale, I do not deny that in 1859 I proposed a considerable increase in the Estimates, but that was principally for the completion of ships already in progress.

SIR CHARLES WOOD: Sir, I wish to make a few observations before this debate comes to a close. I cannot help thinking that the hon. Member for Rochdale has made certain assumptions in which he was not warranted by the state of our navy for many years past. The House and the country must be perfectly well aware that the navy has for many years been in a complete state of transition. Changes have been made not only in the construction of our ships but in the mode of propelling and arming them, and so rapidly have these changes followed one after the other that before one set of vessels were completed some alterations and improvements have been introduced which rendered it necessary to build others of a different kind. It is not so many years since the main part of our steam navy consisted of paddle-wheel vessels. A large sum of money was expended upon them. A few years afterwards, when the screw was introduced, it was equally neccessary to expend a large sum of money in order to create a screw navy, and the sum was larger, because the screw was applicable to large vessels. A screw fleet, therefore, superseded, to a great extent, the paddle-wheel steamers of our old navy. I do not agree with the hon. Member for West Norfolk (Mr. Bentinck) in what he said about blockading the Russian ports. For we did blockade the Russian ports in the early part of the Crimean war. At many of our commercial ports there were not vessels of war to protect our trade against Russian cruisers: but the fleet we had in the Sound prevented Russian vessels from coming out, and was a great deal better employed and afforded much more effectual protection than if it had been scattered here and there. But the circumstances of the Russian war rendered it necessary to build a description of vessels, gun vessels, gun boats, and mortar boats, which did not before exist, and during the greater part of the time that I was First Lord we were engaged in building those vessels. In the three years during which I had the honour to be First Lord we added to the fleet of England twenty line-of-battle ships and frigates, and 230 corvettes and small vessels, including eight iron-plated floating batteries and about 100 mortar-boats. The right hon. Gentleman (Sir John Pakington), when he came to the Admiralty, set about converting such wooden line-of-battle ships as were fit into screw vessels. I do not believe there was a single vessel converted which was not fit for conversion, and surely it would have been a waste of money to convert vessels which were not of a shape advantageous for conversion. Now, the French line-of-battle ships were far better adapted for conversion than our own. The question of armour-plated ships was a moot question at the time. We had built eight floating batteries and before building any more vessels for iron plates, we were trying experiments with targets to ascertain the strength of the iron plating that would be required. Towards the end of 1857 we had come to the conclusion that it would be necessary to build vessels of this kind, and I had an estimate in the winter of 1857-8 prepared for building an iron-plated ship in 1858. In the spring of 1858 a change of Government took place, and I cannot pretend to say why that was not done; but, as had been truly stated, in the next year further experiments were made, which led to the then Government taking a large Vote for the construction of the *Warrior* and the *Black Prince.* With reference to the number of ships of what the hon. Member for Stockport called the useless class of large vessels, and the number of men engaged for them, which he stated at about 40,000, I have only to observe that on the 1st of February there were thirteen line-of-battle ships in commission and their crews amounted to 9,176. Another statement had been made, to the effect that some iron-plated vessels had come in from sea with the armour-plates shaken and hanging loosely about. The fact was directly the reverse, for the armour was not shaken at all, and any one of the vessels was fit to go to any part of the world. I am anxious to make this statement, because the contrary representation was calculated to produce a false impression in reference to the character of armour-plated vessels.

MR. LAIRD said, he rejoiced to hear the contradiction given by the right hon. Gentleman to the report respecting the armour-plated vessels. It was satisfactory to hear that those ships had proved themselves able to stand all weathers. An important paper respecting the cost of iron and wooden ships, signed by Admiral Robinson, had just been presented to the House, and he hoped a renewal of the pledge from the noble Lord at the head of the Government would be given that a special day should be set apart for the discussion of the question respecting the building of wooden vessels.

SIR CHARLES WOOD said, that the pledge given on that subject by his noble Friend would be strictly adhered to. No steps would be taken in the matter until that House had an opportunity of expressing an opinion in reference to it; but if the proposition of the Government to build certain wooden vessels were not sanctioned, a considerable Vote would be necessary for iron armour-plated vessels.

Motion *agreed to.*

SUPPLY—NAVY ESTIMATES.

SUPPLY *considered* in Committee.

Mr. MASSEY in the Chair.

(In the Committee.)

(1.) £433,298, New Works, Improvements, &c.

MR. LINDSAY said, that the Parliamentary paper signed by Admiral Robinson, cast a most extraordinary reflection on the contract iron shipbuilders of this country. He had no hesitation in saying that the ships turned out by private builders in this country were an honour to the country, and reflected the greatest credit upon themselves. The reflection cast upon them had raised a suspicion in his mind that the Government were going to establish a large plant in the dockyards to dispense with private shipbuilding. If that were done, the works would cost them more than at present, and they would not get such good ships. He wished to ask for an explanation of the item for new machinery. He also would draw attention to the Vote for naval barracks, and ask why it was thought desirable to have their seamen in barracks instead of afloat in vessels, as had been hitherto the custom.

LORD CLARENCE PAGET stated, that the item in the Vote was for hydraulic machinery for bending armour plates, and other machinery for sawing and other processes in the progress of shipbuilding. There was no intention at the present time to create another establishment beyond that which existed at Chatham. He need not apologize to the Committee for bringing forward a Vote for the construction of naval barracks, because, if there were one thing more than another which had been acknowledged to be of immense importance, it was the getting rid of the old hulks, and the housing of the men comfortably on shore, where they would be when their services were required.

COLONEL SYKES said, he observed a charge in the Votes for gas machinery, and also charges for gas; for instance, at Chatham it cost £900. It was recommended that the Government should make their own gas, and he should be glad to know if that recommendation would be carried into effect?

MR. JACKSON was understood to say, that he hoped the Government would not go to the expense of erecting works for the purpose of making their own gas for every dockyard.

CAPTAIN TALBOT said, the vitality of the navy depended on the Government having proper docks and basins, and he should like to learn what the Government proposed to do in that respect. Last year they were told that Chatham dockyard would be enlarged, and that it would require a sum of about £1,000,000 to complete the works. The Government now proposed to take the small sum of £22,000, and at that rate the docks would be ready in about fifty years. The country had only one dock that would take in ships of the *Warrior* class, and he felt anxious that something more should be done. They had not sufficient dock room in time of peace, and in time of war there would be a positive deficiency.

MR. WHITE remarked, that he saw for the first time in the Votes a sum of £9,160 for a new establishment on the coast of China, namely, at Kowloon, and he should be glad to hear some explanation in regard to it.

MR. CHILDERS said, he would call attention to the new docks at Bermuda and Gibraltar, and should be glad to receive an explanation in regard to them.

LORD CLARENCE PAGET said, the Government were making considerable progress in the construction of docks, and at the end of the year they would have four docks capable of receiving ships of the *Warrior* class. The reason why so small a sum was taken for Chatham was that it was all that could be expended during the year. The necessary preliminary works were now being pushed on with all despatch, and next year the Government would no doubt be able to ask for and to spend a much larger sum. When the work was completed, the basin at Chatham would be the largest in existence, and would have an extent of eighty-two acres. The Government had found it more economical to manufacture there own gas, and they adopted that course at all places where they could not obtain it from public companies at reasonable prices. The Government asked that year for no further Vote for works at Bermuda; but if the war in America continued, and they had to keep a large squadron there, it would be absolutely necessary to construct a dock. All that it was at present proposed to do at Gibraltar, was to carry out the superstructure of the mole to the length of the foundations, about 600 feet. Many persons thought that it would be desirable to extend it to a length of 1,000 feet, in order that very long vessels might lie alongside it to coal. The establishment at Kowloon was intended for a coaling station. The situation was, owing to the depth of water, admirably adapted for that purpose. Admiral Sir James Hope, who had lately returned from his glorious campaign in China, had very strongly pressed upon the Government that the completion of the work ought not to be delayed.

Colonel SYKES said, he wished to ask for an explanation of an item of £8,000 for the breakwater at Plymouth.

Lord CLARENCE PAGET replied, that during the last few years the breakwater had given way, and it had been necessary to undertake very considerable works for "towing" it.

Mr. ADDINGTON wished to know whether the dockyard at Malta was capable of admitting vessels of the *Warrior* class.

Lord HENRY LENNOX said, he had just returned from Malta, and he could take it upon himself to assure the Committee that they might safely grant the sum required for that dock. Up to that time Malta possessed no dock capable of containing any ship but of the smallest possible class and when lightened of her burden. During the Crimean war there were no means of repairing their first-class ships at Malta, but they had to be brought home. The scheme of the Governor, which had been adopted by the Admiralty, would give a dock for one ship of the *Warrior* class, with a suitable fitting basin attached to it; and it would, at the same time, restore the best part of Malta harbour, which would be large and deep enough for the Mediterranean fleet, on an emergency, to rendezvous in.

Captain TALBOT said, he had been informed that officers on the spot were dissatisfied with that work, and that they complained in particular that it was not less than two miles from the Government dockyard at Malta. He was glad, however, that a large dock was being constructed at Malta, because he had heard that the French were building at Marseilles one of a very extensive character, capable of taking in the largest ships in all states of the tide.

Lord CLARENCE PAGET said, there certainly was some difference of opinion amongst officers at Malta with respect to the site of the Dock. The colonial Government had agreed to give up for the accommodation of men-of-war a part of the harbour called the French Creek, which was surrounded with houses, and in order to construct a dock there it would be necessary to purchase those houses, at considerable expense, while the creek itself was so shallow that it would require to be deepened considerably before a man-of-war could enter it. It was, however, convenient to the dockyard, and a dock made there would be very convenient for the purposes of the navy. The construction of such a dock would at the same time, for the reasons which he had just indicated, occasion great delay and expense, and the Government of Malta had under the circumstances proposed to contribute a certain sum towards the construction of a large dock, capable of containing vessels of the *Warrior* class, at the head of the grand harbour, which was not two miles, but only half a mile, from the dockyard. It had, therefore, been deemed the wiser course to proceed at once with the building of a dock at the head of the grand harbour, but afterwards the French Creek would no doubt be found available for the purpose, if it were deemed expedient to make it so. There would be no difficulty, he might add, in rendering the site at present chosen capable of admitting ships of the largest class.

Captain TALBOT said, he wished to know whether the amount of the sum to be contributed by the Maltese Government was to be made contingent on the site selected, and also what would be the depth of water in the new dock when built?

Lord CLARENCE PAGET said, the Maltese Government would not contribute unless the particular site in question were chosen. There would, he was happy to say, be ample water in the dock, the depth being some twenty seven feet or twenty eight feet over the sill.

SIR GEORGE BOWYER wished to ask how it was that the Maltese Government had agreed to contribute to the construction of a dock which could not in the slightest degree tend to the advantage of the commerce of the island? If he were told that the Maltese Council had consented to disburse a certain sum for the purpose, he would simply observe that the elected members of the Council were in a minority, the majority being composed of official persons.

MR. LAIRD said, he thought it would be well that it should be ascertained beforehand that the dock would possess the necessary depth of water.

LORD CLARENCE PAGET said, there was every reason to be satisfied that such would be the case. It was quite true that the Maltese Government was to contribute a portion of the cost of the new harbour works, but these works would be a great benefit, not merely to the navy but to the general trade of the port, which, he was glad to say, was increasing every day.

LORD HENRY LENNOX said, that the Maltese Government agreed to pay a portion of the expense, in order to induce the Imperial Government to undertake the dredging of the new anchorage-ground, which was very much wanted.

MR. BENTINCK said, he thought the people of Malta had made a very good bargain, as the improvements in the harbour would bring them a great deal of business.

MR. LINDSAY suggested, that instead of housing the naval reserve in barracks, they should be placed on board of some of the wooden ships which were lying idle, and that a number of the officers, for whom there was such difficulty in finding employment, should be attached to these vessels.

Vote *agreed to,* as were also the following:—

(2.) £66,000, Medicines and Medical Stores.

(3.) £99,370, Naval Miscellaneous Services.

(4.) £719,341, Half-Pay, &c.

(5.) £483,105, Military Pensions and Allowances.

(6.) £194,932, Civil Pensions and Allowances.

(7.) £270,150, Freight of Ships.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

TOBACCO DUTIES BILL—[BILL 21.]

COMMITTEE DEFERRED.

Order for Committee read.

THE CHANCELLOR OF THE EXCHEQUER said, that clauses had been prepared for insertion in the Bill, giving a drawback on the exportation of manufactured tobacco, so as to return to the pockets of the manufacturers as nearly as possible the amount originally paid in duty. He also desired to give notice, so that there might be no misunderstanding, that he intended to ask for a Committee on the Customs Acts, on the following day, in order to introduce into the Tobacco Duties Bill a certain regulation with respect to the duty upon leaf tobacco which contained less than 10 per cent of moisture. In order to establish the system of drawback which he contemplated, and which would be constructed with reference to the quantity of moisture in tobacco, it was necessary for the protection both of the trade and the revenue to prevent the importation of tobacco in a very dry state. He should therefore on the following day, in Committee, propose a Resolution to the effect that the duty on unmanufactured tobacco imported into Great Britain, if containing less than 10 per cent. of moisture, should be 3*s.* 6*d.* per pound, instead of 3*s.* and 10 per cent.

SIR GEORGE BOWYER said, he wished to know whether the right hon. Gentleman was prepared to take into consideration one important point—namely, the ingredients introduced into cavendish and negro-head tobacco? He was informed that the foreign manufacturer was allowed to introduce a quantity of saccharine matter and spirits into the tobacco, which rendered it more agreeable to the consumer, whereas at present the English manufacturer was not allowed to do so.

THE CHANCELLOR OF THE EXCHEQUER said, the Bill would establish a perfect equality, and the English manufacturer would, therefore, be allowed to introduce the sweetening ingredients in question.

Committee *deferred* till *To-morrow.*

MALT DUTY BILL—[BILL 37.]

COMMITTEE.—REPORT.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Credit for Payment of a Portion of Excise Duty on Malt extended).

THE CHANCELLOR OF THE EXCHEQUER said, he had to move an Amendment on the power given by the Bill to postpone the payment of the malt duty. As the Bill stood it gave the power of postponing a moiety of the duty on malt made between the 1st January and 16th January. He proposed to let that power stand, and to add words giving power to postpone the whole of the duty on malt made between the 1st April and 16th May.

Clause, as amended, *agreed to.*

The other Clauses were also *agreed to,*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

POST OFFICE SAVINGS BANKS BILL.

[BILL 22.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Transfer of Trust and Joint Accounts, and Accounts of Minors).

THE CHANCELLOR OF THE EXCHEQUER said, he was sorry not to see the hon. Member for Evesham (Sir H. Willoughby) in his place, because that hon. Gentleman had given notice of two Amendments—one limiting the operation of Clause 1, relating to minors' accounts, to cases where there was an intention to close a savings bank; and the other empowering the trustees of savings banks about to be closed to compensate their officers out of surplus funds. He was prepared to agree to the second Amendment, but he could not accept the first, and he hoped the hon. Member would take an opportunity of moving the recommittal of the Bill for the purpose of bringing the question under consideration. Meanwhile, he had himself two Amendments to propose, the object of which was to take securities against any possibility of abuse, and to insure, that while they gave a free power of transfer of minors' and trustees' accounts between the Post Office savings banks and the old savings-banks, the withdrawal of the money should still continue subject to all the restraints now in force. He would, therefore, move the addition of the following words:—

> "But in the case of minors, the money so transferred shall not be withdrawn, except with the consent of the Postmaster General, or of any two trustees or managers of the savings bank to which the transfer is made, until the minor shall have attained the age at which it might have been withdrawn under the rules of the savings bank from which it was transferred, a note whereof shall be made on the said certificate."

MR. HENLEY said, he was afraid the Amendment of the Chancellor of the Exchequer would not satisfy the hon. Member for Evesham.

MR. AYRTON said, that what the hon. Member for Evesham wanted was that the conditions upon which the money of minors was now invested in savings banks should be strictly and literally performed. As the Bill stood, the danger was that third parties would seek a transfer to one of the Post Office savings banks for the purpose of getting the money out on easier conditions; thus, perhaps, defeating the object for which the money was originally deposited.

In answer to MR. HIBBERT,

THE CHANCELLOR OF THE EXCHEQUER explained that the conditions for the withdrawal of money standing upon trust and joint accounts were now laid down by statute, and the Postmaster General took them all over upon himself. The Postmaster General was surrounded by officers fully competent to apply the provisions of the general law to each particular case. With regard to the case of minors, he was prepared to render it obligatory that a note should be made on transfer certificates in those cases where the money of minors could not be withdrawn till the minors reached a certain age.

Motion *agreed to.*

Clause, as amended, *agreed to.*

Clause 2 (On Closing of Savings Banks, Funds, &c., to be paid over to Commissioners).

MR. AYRTON said, that in the absence of the hon. Member for Evesham (Sir H. Willoughby), he had to move the addition of a proviso—

> "That trustees of savings banks which are desirous of closing shall have power to compensate their officers out of any separate surplus fund that may belong to any such savings banks, with the consent of the Commissioners for the Reduction of the National Debt."

Proviso inserted.

Clause *agreed to.*

Clauses 3 and 4 *agreed to.*

Clause 5 (Warrant to be laid before Parliament).

THE CHANCELLOR OF THE EXCHEQUER said, that as soon as the system was well on its legs, he proposed to bring it under the review of the House by moving an annual Vote for the expense of carrying it out, and it would be the business of the House to see that the receipts and expenditure were so nearly balanced that the public was not unduly burdened. He believed that the system would turn out to be entirely self-supporting.

Clause *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER said, he had to move a new clause, enacting—

(Appointment of Managers to sign Transfer Certificates.)

"That the trustees of any savings bank, at a meeting called for that purpose, may appoint any number of managers to sign transfer certificates; and that the signatures of any two of such managers to a transfer certificate should be a sufficient authority to the Commissioners for the Reduction of the National Debt to transfer the amount set forth in such certificate; provided that a list of such managers, with their signatures, certified by two trustees, should have been previously deposited with the Commissioners for the Reduction of the National Debt."

In some cases the number of trustees of savings banks had been reduced to as few as three, and it was inconvenient to require transfer certificates to be signed by two of that number. That difficulty would be obviated by enabling trustees to empower certain managers to sign the certificates. The trustees would remain responsible for the signatures of the managers they might depute.

MR. HENLEY said, he thought that such a clause would be attended with inconvenience, inasmuch as it would allow the trustees to run themselves out. He was of opinion that it would be better to compel the trustees, when they were reduced to a very few, to increase their number. If out of three trustees remaining two of them were to die, he was at a loss to know what was to become of the management.

THE CHANCELLOR of THE EXCHEQUER said, the question raised by the right hon. Gentleman was no doubt an important one, but it was one that more properly belonged to the general question of the old savings banks. He thought it would be desirable at some future time to take into consideration the whole question of the management of the old savings banks. It would not do in the present Bill to deal with the constitution of the old savings banks.

MR. HENLEY said, his objection was that the clause proposed would give facilities to parties to avoid doing that which under other circumstances they would be obliged to do.

Clause *added* to the Bill.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

MARRIAGES (IRELAND) BILL.

[BILL 32.] SECOND READING.

Order for Second Reading read.

MR. VANCE said, that in the absence of his hon. Colleague (Sir E. Grogan) he had to move the second reading of this Bill, the object of which was to place certain Churches in Ireland on the same footing as the Presbyterian Church, that of the Society of Friends, and the Synagogue of the Jews. The Churches upon which the Bill would confer that advantage were the United Presbyterians, the Covenanters, the Independents, the Baptists, and especially the Wesleyans, all of which laboured under certain disabilities. In the first place, they were obliged to send a notice to the poorhouse by the registrar in the case of projected marriages. They felt that condition as very insulting to their creed. They therefore asked that the registrar should send the notice, when any person desired to be married, to the clergyman who was to solemnize the marriage and to the clergyman of the church or chapel at which the marriage was to take place. The Bill did not interfere, in the slightest degree, with the rights of Roman Catholics, who could marry at any time or place without the intervention of the registrar. Another case of grievance, particularly with the Wesleyans, was that the registrar must be present at all their marriages, and that he signed the register, whilst their clergymen were made only attesting witnesses. There were about 500 churches in Ireland which would receive advantages by the Bill if it should pass into a law. The Bill would also enable minors to obtain the necessary certificate for marriage, when their guardians were unwilling to grant it, by applying to the consistory judge at Dublin and Armagh instead of to the Court of Chancery.

Moved, That the Bill be now read 2°.

SIR ROBERT PEEL said, he thought the Bill of very considerable importance, and he was sorry the hon. Baronet who introduced it was not present to give a more full explanation of its provisions. The Bill related to certain classes of Dissenting bodies in Ireland, who, he admitted, had grievances to complain of under the Act of 1844; but several provisions of the Bill would really require serious consideration. By one provision of the Bill the power which heretofore had been vested in the Court of Chancery to act in the place of parents or guardians of persons desirous to marry, when parents or guardians were incapacitated from acting—that power was transferred to the Judges of the Consistory Courts of Armagh and Dublin. He disapproved that provision; and unless some satisfactory explanation could be offered, it would be his duty to oppose it. In Clause 2 an important novelty was introduced, requiring that notice should be given to the registrar of the church, chapel, or registered place of worship, usually attended by one or both of the parties to the intended marriage. That was a novelty which he could not approve. It was true that some of the Dissenting bodies did complain of the existing law, but the Presbyterians did not, they having their own clergy to perform marriages. But one clause in the Bill declared that nothing therein contained should extend to giving validity to any marriage not found valid under the existing law. That clause would invalidate the whole Bill. According to the Registrar's Report, the number of Presbyterians in Ireland was 586,000, and of other Protestant Dissenters about 70,000. The last-mentioned bodies, which declined to accept the marriage law of the 7 & 8 *Vict.*, had 150 churches, chapels, and places of worship, but only 109 marriages were celebrated in them in the course of the year referred to in the Report. He mentioned those facts to call the attention of the hon. Gentlemen to them. Unless Amendments were introduced in Committee to meet the objections he had stated, he should be compelled to oppose the further progress of the Bill.

Mr. BUTT said, that Protestant Dissenters in Ireland had grievances, but he feared the Bill would not relieve them. He would observe, that Clause 6 provided that the marriage must be solemnized by an ordained minister of the denomination to which one or both parties to the marriage belonged; but who was to decide whether a Wesleyan minister was duly ordained? He should, however, vote for the second reading on the understanding that he should be at liberty to amend the Bill in Committee.

Mr. LONGFIELD said, that as one of the promoters of the Bill he would not assert that its details were susceptible of no improvement. Its main principle, however, was a good one—namely, the removal of a grievance long complained of by the Protestant Dissenters of Ireland. He regretted that they could not on that occasion do what was suggested in a leader of *The Times* as a very great improvement—consolidate the marriage law; but, though he admitted that the measure was bit-by-bit legislation, the Bill as it stood would remedy a considerable injustice.

Captain JERVIS said, he should resist any attempt to enforce a religious ceremony in the case of a marriage before a Registrar, thus putting such marriages in Ireland on the same footing as they stood in England.

Sir ROBERT PEEL said, he wished to ask the hon. Baronet the Member for Dublin whether he would omit that portion of the Bill which extended the provisions of the 22 *Vict.* to the Consistory Courts of Armagh and Dublin? He thought that the 5th clause was very loosely drawn. It provided that the Registrar General should furnish to the minister of every registered place of worship books, forms, duplicates, &c., but did not direct what was to be afterwards done with them.

Sir EDWARD GROGAN said, he could not agree to the proposition of the hon. Baronet, as the object of that part of the Bill was to extend to persons in the humbler positions of life the same facilities which were enjoyed by the wealthier classes. The 5th clause, he might add, was an exact transcript of the existing Marriage Act.

Bill read 2°, and *committed* for *Friday*, 13th March.

BURIALS BILL.

LEAVE. FIRST READING.

Burials—*considered* in Committee.

(In the Committee.)

Sir MORTON PETO moved for leave to introduce a Bill to make further Provisions with respect to Burials in England and Wales. The hon. Baronet said, that the Bill was in many respects similar to that introduced last year, but some alterations had been introduced which were recommended by the Committee which had considered the subject last year.

Resolved,

That the Chairman be directed to move the House, That leave be given to bring in a Bill to make further provision with respect to Burials in England and Wales.

House *resumed*

Resolution *reported.*

Bill *ordered* to be brought in by Sir Morton Peto and Sir Charles Douglas.

Bill *presented,* and read 1°. [Bill 50.]

HARES (IRELAND) BILL.

Bill to amend the Law relative to the sale of Hares in Ireland, *ordered* to be brought in by Mr. Hassard and Mr. Dudley Fortescue.

Bill *presented,* and read 1°. [Bill 51.]

House adjourned at a quarter before Eleven o'clock.

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HOUSE OF LORDS,

Friday, March 6, 1863.

Minutes.]—Public Bills—*First Reading*—Register of Voters (No. 34); Union Relief Aid Act (1862) Continuance (No. 35).

Second Reading — Illegitimate Children (Ireland) (No. 17); Poor Relief (Ireland) Act Amendment (No. 12), *referred* to a Select Committee; *List of the Committee.*

Select Committees—Drainage of Land (Ireland) Bill, *Report* (No. 32); Illegitimate Children (Ireland) (No. 17).

Report—Drainage of Land (Ireland) (No. 33).

DRAINAGE OF LAND (IRELAND) BILL—(NO. 18.)

Report from Select Committee made, and to be *printed* (No. 32): Bill *reported,* with Amendments, and *committed* to a Committee of the Whole House on *Friday* next; and to be *printed* as amended. (No. 33.)

REGISTER OF VOTERS BILL—(NO. 34.)

Brought from the Commons, and read 1ª.

UNION RELIEF AID ACT (1862) CONTINUANCE BILL—(NO. 35.)

Brought from the Commons, and read 1ª.

ILLEGITIMATE CHILDREN (IRELAND) BILL—(No. 17.)—SECOND READING.

Order of the Day for the Second Reading read.

The Duke of NEWCASTLE, in moving the second reading of this Bill, stated that its object was to enable Boards of Guardians to recover costs of maintenance of illegitimate children in Ireland in certain cases. It was an amendment of the Law passed at the end of last Session upon the construction of which doubts had arisen and conflicting decisions had been given. The process against the putative father was to be by civil bill, to be heard before the Chairman at quarter sessions.

Moved, That the Bill be now read 2ª.

Viscount LIFFORD said, he objected to the measure, as did many Irish Members of the House of Commons whose opinions were entitled to the highest consideration. No doubt these cases imposed a very unpleasant duty on the magistrates; but in his opinion they were far more competent to deal with them than an assistant barrister from Dublin, who could not understand the character of the people or weigh the value of the corroborative evidence. He objected also to the hardship it would inflict on the woman who had to make application under it. The existing law had acted well in Ireland, and he trusted their Lordships would not assent to this unnecessary alteration. He would move that the Bill be read a second time this day six months.

Amendment *moved,* to leave out ("now") and insert ("this Day Six Months.")

Lord CHELMSFORD said, that although the Bill had been introduced by the Government, he should not be induced to support the Amendment on that account. It would require some ingenuity to convert a question as to Irish illegitimate children into a party question; his only object was that their legislation should be satisfactory and adapted to the occasion that called for interference. The object of the Bill, as he understood, was to repeal the 10th section of the Irish Poor Law Act, and to substitute other provisions instead of it. He thought, however, that the necessity for the Bill had arisen in consequence of an erroneous construction which had been put upon the Poor Law Act by the Law Officers of the Crown in Ireland. The Bill was, in truth, a declaratory Bill, to make law the erroneous opinion of the law advisers of the Crown. The 10th section provided, that oath having been made before any two justices by the mother of any illegitimate child, and that the same should have been supported by corroborative evidence, it should be lawful for the guardians to proceed by civil bill before the barrister at quarter sessions to recover from the putative father the cost of maintaining the child and the costs of the proceedings. He understood that, in consequence of the opinion of the Law Officers, a circular had
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been addressed to the magistrates, which stated that their duty was simply to receive the sworn information of the mother, and thereupon to return that information to quarter sessions, where corroborative evidence was to be heard. He did not think that this was the correct construction of the statute. He also thought that the course pointed out would lead to great hardships, and money would be extorted under threat of swearing such information. The noble Lord (Viscount Lifford) who had moved the Amendment to the second reading had himself brought in a measure by which he proposed to assimilate the law of Ireland to that of this country except in this, that proceedings were to be taken by the guardians instead of by the woman; and it was also provided that the money should be recovered by summary process instead of by civil bill. He (Lord Chelmsford) suggested that this Bill should be read a second time, and then that it and the measure of the noble Lord (Viscount Lifford) should both be referred to a Select Committee.

The Marquess of CLANRICARDE agreed that some legislation was absolutely necessary, but the subject certainly required a great deal of consideration.

Lord CRANWORTH said, the real question was whether the court of quarter sessions or of petty sessions was the proper tribunal for deciding questions of bastardy. The provision of this measure was in accordance with the recommendation of the Irish Poor Law Commission. He could not have acceded to the Motion of his noble Friend (Viscount Lifford), who wished to postpone the second reading of this Bill; but he thought his noble and learned Friend (Lord Chelmsford) made a very fair proposal in wishing to refer this particular question to a Select Committee.

The Duke of NEWCASTLE said, that it was the intention of the Legislature, when passing the Bill of last Session, that the jurisdiction should be vested in the assistant barrister at quarter sessions, and the tenth section embodied the recommendation of the Irish Committee, *ipsissimis verbis.* The doubts which had arisen on the subject were in consequence of words which had been introduced in their Lordships' House without any intention of departing from the principle recommended by the Committee on the Irish Poor Law which sat in 1861. There was this strong objection to making the magistrates at petty sessions decide bastardy questions, that the board of guardians were to take the initiative; and as the magistrates were *ex-officio* guardians, they would be plaintiffs *quâ* guardians, and judges *quâ* justices at petty sessions. In addition to such a serious objection, it was to be remembered that the assistant barristers were gentlemen learned in the law; while the magistrates at petty sessions were not, as a general rule, learned in the law. With respect to the proposition to refer the question to a Select Committee, he was in the hands of the House; but after what he had stated, perhaps their Lordships would be of opinion that such a course was unnecessary. His own objection to it was that it would cause delay in the passing of a Bill to render the law certain on the point of jurisdiction.

Viscount LIFFORD, in reply, said, that this Bill was accepted only as an alternative for the English system.

The LORD CHANCELLOR said, he should earnestly press upon the noble Duke that he should accede to the proposition; and he begged to state to their Lordships his conviction, that while the construction which had been put upon the existing Act, was, he believed, quite erroneous, yet that the measure involved questions very different from mere questions of tribunal. It had been held—quite erroneously, as he thought—that it was the duty of the guardians who made the preliminary inquiry to consider the question who was the putative father in these cases. But that would be instituting an inquiry behind a man's back. All that was required at the preliminary inquiry was, that the mother's oath should be supported by corroborative evidence. Unfortunately, that was not the view which had been taken by the law advisers of the Crown in Ireland, and hence the necessity for the present measure.

Earl GRANVILLE said, his noble Friend had no wish to oppose what seemed to be the general wish of the House, and would therefore accede to the Motion for a Select Committee, on the understanding that there would be no unreasonable delay in proceeding with the Bill.

Viscount LIFFORD said, that with that understanding he would withdraw his Amendment.

Amendment (by leave of the House) *withdrawn:* Then the Original Motion *agreed to;* Bill read 2^a accordingly, and *referred* to a Select Committee.

POOR RELIEF (IRELAND) ACT AMENDMENT BILL [H.L.]—(No. 12.)

On Motion of Viscount Lifford, Bill read 2ª, and *referred* to the same Select Committee; and on *Monday* next the Lords following were named of the Committee:—

Ld. Chancellor
D. Marlborough
D. Newcastle
Ld. Steward
V. Lifford
V. Hawarden
L. Boyle
L. Ponsonby
L. Somerhill
L. Stanley of Alderley
L. Monteagle of Brandon
L. Chelmsford

COURTS OF LAW (IRELAND)—JUDICIAL STATISTICS.

RETURNS MOVED FOR. QUESTION.

The Marquess of CLANRICARDE rose to call the attention of the Government to several instances of inconveniences arising from the insufficient time allotted to the Irish Judges to complete the business of certain Circuits, and hoped that some steps would be taken to remedy an evil which caused much expense and delay to suitors in Ireland. He also wished to know, Whether the noble Earl the President of the Council could give any assurance when the Judicial Statistics for Ireland, promised in 1861, will be laid upon the table of the House? He doubted whether these statistics would be laid upon the table in sufficient time to be of any use this Session, as he believed that no steps had been yet taken to collect the civil statistics of the past year. The noble Marquess concluded by *moving* an Address for a series of tabular Returns relating to Judicial Business in Ireland.

Earl GRANVILLE said, there was no objection to grant the Returns moved for, although they would take some time to prepare. With regard to the first point referred to by the noble Marquess, he was not aware of any inconveniences such as those alluded to; but if any such did exist, he was sure the Irish Judges would direct their attention to them, and take measures to prevent them in future. He had not received the Judicial Statistics that had been ordered, but understood that they were in course of preparation.

Motion *agreed to.*

THE GALWAY PACKET CONTRACT.

QUESTION.

The Earl of HARDWICKE rose to ask the Postmaster General, Whether, in connection with the proposed Restoration of the "Galway Subsidy," it is intended to make any Alteration as to the Port of Departure or Destination of the Vessels of the Atlantic Royal Mail Steam Navigation Company, carrying Her Majesty's Mails to America; and whether any Arrangement having such an Object in view is contemplated by Her Majesty's Government, or has been proposed by the Company in question? The noble Earl said, that though this matter had been designated by the Members of the present Government "a notorious job," it appeared that they were about to renew it. Under such circumstances it was not unnatural that he should put the Question of which he had given notice. It was understood that the subsidy was originally given upon the distinct understanding that there should be a mail packet communication between America and some port on the west or south of Ireland, with the object of conferring a benefit upon Ireland; and if it were now to be renewed, he hoped it would be on the ground of its being of advantage to Ireland. The Treasury Minute of the 3rd of January, 1863, was something to the same effect, giving, however, liberty to the Directors to state their views upon the matter. He believed that the Company since its first formation had undergone some changes, or had been formed afresh; indeed, he heard that it was not now the same Company that it was originally. From rumours which were spread abroad it appeared it was now contemplated to change the port of departure from Galway to some other port in Ireland or England; and Liverpool was freely spoken of as the place from which the vessels were to start in future. Much jealousy, in consequence of this report, had been created in the minds of other Transatlantic companies. And it was the knowledge of such a feeling existing that induced him to put this Question. He saw in a letter of Mr. Inman, of Liverpool, the owner of some vessels, and he believed the head of a steam-packet company, a statement to the effect that the writer had reason to know that the American mail was no longer to start from the port of Galway, but from Liverpool or some other English port. Mr. Inman said that the ground on which the subsidy had been originally granted was the benefit that would result to the port of Galway, and to Irish commerce generally; but it was obvious, that if Liverpool was to be the port of departure, the port of Galway would not be benefited, while the unsubsidized lines would be injuriously affected. He hoped that the noble Lord would give some explanation on the subject.

LORD STANLEY OF ALDERLEY said, that no communication had been made to the Company alluded to, on the part of the Government, further than that they were ready to listen to any proposition they could make in reference to the renewal of the contract. No communication whatever had been made to the Government by the Company in respect to any alteration of the port from which their vessels were to start. At the same time he might mention that the Government had laid down certain necessary conditions preliminary to their entertaining the question at all—namely, that the Company should be able to show that they had a sufficient number of vessels properly qualified for the service, which must be surveyed by the Admiralty, who must report to the Treasury and the Post Office that the vessels were adequate and competent for the service. As those reports had not as yet been received, the Government were not in a position to take any active steps in the matter.

THE EARL OF HARDWICKE: Then am I to understand from the noble Lord that those vessels are not to start with the American mails from an English but from an Irish port?

LORD STANLEY OF ALDERLEY: No application of the kind alluded to has been made to the Government.

THE MARQUESS OF CLANRICARDE was sorry to hear from his noble Friend below him—if he understood him right—that the ground on which the subsidy was granted was that of conferring an advantage upon Ireland. Now, the whole ground upon which the people of Ireland claimed the subsidy, and that by which they were prepared to stand or fall was this:—That by departing from a western port of Ireland there would be established a quicker communication with America than if the departure took place from any other port in the United Kingdom.

LORD STANLEY OF ALDERLEY: Again, I say the question has never been entertained of the departure from an English port. The noble Marquess is perfectly right in his observation that this subsidy was obtained on the ground of a quicker communication by the departure from an Irish port. As to the particular Irish port for this departure, that was left an open question.

THE EARL OF HARDWICKE: — It will be satisfactory to know that the question of selection is confined to Irish ports, and not an English port. Is not this the understanding?

LORD STANLEY OF ALDERLEY:— I understand so. There can be no question about it.

House adjourned at Seven o'clock, to Monday next, Eleven o'clock.

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HOUSE OF COMMONS,

Friday, March 6, 1863.

MINUTES.]—SELECT COMMITTEE—On Inland Revenue and Customs Establishments, Mr. M. Gibson, Mr. Peel, *discharged;* Mr. Cardwell, Mr. Bagwell, *added.*

SUPPLY—*considered* in Committee: Resolutions 1 to 7 [March] *reported,* and *agreed to.*

RESOLUTION IN COMMITTEE — Customs Acts (Tobacco Duties).

PUBLIC BILLS—*First Reading*—Bakehouses Regulation [Bill 54]; English Church Services in Wales (*Lords*) [Bill 53]; Naval Coast Volunteers Act Amendment (*Lords*) [Bill 55].

Second Reading—Education of Factory Children [Bill 28], *Debate adjourned;* Bleaching and Dyeing Works Act Amendment [Bill 29].

Considered as amended—Malt Duty [Bill 37].

AFFAIRS OF GREECE.

OBSERVATIONS.

VISCOUNT PALMERSTON: Sir, seeing the hon. Member for Honiton (Mr. Baillie Cochrane) in his place, who has a Motion on the Paper on our relations with Greece, I would take the liberty of saying to him that I think it would be attended with public inconvenience to call upon the House to discuss that question, and for Her Majesty's Government to make statements about it. If the hon. Member will have the kindness to put it off to-day, he will of course expect that I should give him the certainty of some future day, and I will offer him Monday week, if that will suit him, taking care, of course, that he shall have precedence on that day.

MR. BAILLIE COCHRANE said, there was an impression in the City that the apathy of the House of Commons on this subject had been very injurious to English interests. At the same time, it would be his duty to defer to the appeal of the noble Viscount, and to what he understood to be the general wish of the House. He would, therefore, postpone his Motion until Monday week.

THE CONVICT STUART FARQUHARSON.

QUESTION.

COLONEL NORTH said, he wished to ask the Secretary of State for the Home Department, If a convict of the names of William Stuart Farquharson, *alias* Frederick William Stuart, who was tried on the 13th day of July, 1857, at Oxford, and sentenced to twelve years' penal servitude, is still at Bermuda; and, if not there, what has become of him?

SIR GEORGE GREY said, in reply, that it appeared by the last Return from Bermuda that a convict of that name was there at that time.

CHOLERA IN THE PUNJAB.—QUESTION.

SIR WILLIAM MILES said, he would beg to ask the Secretary of State for India, Whether he has any objection to lay before the House the Report of a Scientific Commission, appointed in the Autumn of 1861, to inquire into and report upon the Epidemic of Cholera, which had just caused great mortality in the Punjab and in the Valley of the Ganges; together with any Correspondence that may have taken place upon the subject between the Home Authorities and the Cholera Commission?

SIR CHARLES WOOD replied, that a very sufficient reason existed why the Government could not produce the Report in question—namely, that they had not yet received it.

SALMON FISHERIES (SCOTLAND).

QUESTION.

MR. HENLEY said, he wished to ask the Secretary of State for the Home Department, or the Lord Advocate, Whether the Government have under consideration the steps to be taken with reference to the proceedings of the Commissioners of Salmon Fisheries (Scotland), which have occasioned complaints of by-laws having been framed and the approval of the Secretary of State obtained by surprise and mistake; and whether it is intended to introduce any Bill to amend the Act of last Session as to Salmon Fisheries (Scotland), so as to define the course of proceedings before the Commissioners, and to prevent any interference in matters which are the subject of litigation in the established legal tribunals?

SIR GEORGE GREY, in reply, said, he was not aware that there had been any ground of complaint as to the by-laws made by the Commissioners having been passed by surprise. The Act required that the by-laws should be made before the 1st of January in the present year, and after they were published that notice should be given to all the parties concerned. After an interval of a month from the date of publication, the Home Secretary was empowered either to confirm, alter, or disallow the by-laws. He had confirmed all those to which no objection had been made, and the rest he had reserved for future consideration. He was not aware of any alteration in the Act being contemplated, but he would communicate with his right hon. and learned Friend the Lord Advocate, and answer the second question of the right hon. Gentleman on a future evening.

THE ROYAL MARRIAGE.

ADJOURNMENT.

VISCOUNT PALMERSTON: Sir, I wish to give notice, that as it will probably be inconvenient to the House and to you, for many reasons, to meet on Tuesday, I shall propose on Monday that the House at its rising on that day shall adjourn until Wednesday.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

BRAZIL.—RESOLUTION.

MR. BRAMLEY-MOORE rose to call the attention of the House to the Papers and Correspondence laid upon the table with reference to Brazil, and to move the following Resolution:—

> "That this House has learned with regret the interruption of amicable relations between this country and Brazil; and this House expresses the desire that Her Majesty's Government may take such measures to restore a cordial understanding between the two countries as may be consistent with the character and honour of this country, having at the same time a just regard to the dignity and honour of a friendly and independent power."

The hon. Member said, he addressed the House on this occasion with great diffidence, but in the hope that he should receive the indulgence which was always extended to hon. Members under similar circumstances. The subject was one materially affecting the commercial interests and honour of this country, and the honour and dignity of an independent Power. The Empire of Brazil had been an independent State for forty years, and during that period, with very few interruptions, the most amicable relations had prevailed, and an extensive trade had been carried on, between the two countries. The only interruption to the harmony between the two nations had been on the passing of the Bill called Lord Aberdeen's Act, which had produced great excitement and an expression of feeling which he might say had not been got over to this day. That Act affected the very foundations of the independence of this Empire, for it assumed a power which had never been exercised, and which could never be justified even in our own courts. Brazil was governed by a constitutional Government, consisting of an Emperor, Lords, and Commons, on the model of the constitutional Government of England, the only difference being that in Brazil the peerage was not hereditary. No one had exerted himself more successfully to promote the permanent interests and happiness of Brazil than the present Emperor. He was advised by his Constitutional Ministers like the Sovereign of this country, and they were responsible for their acts to the Houses of Parliament. Our foreign trade with Brazil was of great importance, for it was well known to rank third in the order of extent and importance. The value of British property in Brazil probably amounted to £20,000,000 sterling, besides valuable lives, which had been jeopardized and endangered by the recent occurrences. The recent misunderstanding between this country and Brazil arose out of the wreck of a vessel called the *Prince of Wales*, in June, 1861. Reports were rife that the wreck was plundered, and that the crew were murdered. A demand was in consequence made upon the Brazilian Government for compensation, on the ground that they had not used due diligence in procuring justice to be done. Any one, however, who would read the correspondence between the British Minister at Rio Janeiro and the Brazilian Government would see that steps had been taken, not only to protect property, but to recover the bodies. The vessel was wrecked on a low shore, where breakers were found for three or four miles in extent, rendering it impossible for any ship to be saved in a south-east gale. Several vessels were wrecked on that occasion, but it was only with respect to the *Prince of Wales* that any unpleasantness had arisen between the two Governments. It was alleged that sailors belonging to this vessel had been murdered; but of this there was no proof whatever; there was merely suspicion; and according to English law, until you prove a man guilty, you are bound to assume he is innocent. On this occasion the Consul, accompanied by a body of men from Rio Grande, went down to a place called Albardao, to look after the wreck and the bodies. As the word Albardao implies a city or village, it might be well to state that in the present instance it is the name of a district so thinly inhabited that a hut could be found only here and there, perhaps twenty miles apart from its nearest neighbour. It was reported that ten bodies had been washed ashore, and that only four were produced for interment. These four he believed were seen by the Consul, but there was no trace of the others. It had been said that they were buried on the shore; but if so, it would be impossible to find the place, so rapidly does the surface of the shore change. It was stated by Mr. Consul Vereker that he expressed surprise that all the bodies were not found in the locality. But it was a well-known fact, that when a wreck took place, the bodies of the crew might be washed to the most distant and extraordinary places imaginable. For instance, after the wreck of the *Royal Charter*, the body of one lady was found washed on shore at Belfast. Mr. Consul Vereker examined the four bodies, and there were no traces, as far as he could find, of any murder having been committed; on the contrary, he asserted the probability, from the appearance of the skull, of death having been caused in one instance by the falling of a mast or spar. The question was then referred to Admiral Warren, who gave his opinion upon the circumstances as they were laid before him by Mr. Consul Vereker. But Mr. Vereker took his own view of everything, nor would he admit the facts laid before him by the Brazilian authorities—in short, he would believe nothing that did not suit the purpose he had in view, to vindicate himself and pick a quarrel with the authorities of the country.

Complaints were made of the dilatoriness of the Brazilian Government, but the fault really rested with the British authorities for allowing a matter to which they attached so much importance to sleep for such a length of time. When the wreck was first heard of, immediate steps were taken to recover the cargo and the bodies, and things went on in that way month after month, until, about seven or eight months after the occurrence, the British authorities applied for a further investigation, and asked that a naval officer should accompany those who were to conduct the inquiry. But the Governor General, while making no objection to the officer in his private character, very properly refused to allow him to accompany in an official capacity the persons who were to make the inquiry. With regard to the wreck, it was admitted that a portion of the cargo had been plundered. But when they came to analyse the nature of the cargo, they would find that the plunder must have been very trifling, and wholly inadequate to justify the measures that had been taken by Her Majesty's Minister in Rio. There was no doubt whatever, that if due diligence had been used by Mr. Consul Vereker, he could have traced the plunder, and found out the persons who were guilty. Mr. Vereker went down with an armed force, examined the few houses that were scattered about, and found no plunder whatever; and he then attempted to get out of the difficulty by saying that the people had removed the plunder into the thicket. But if so, why not have gone into the thicket, as he was accompanied by an armed force, and there was no reason for not following up the search? But it was attempted to fasten a stigma upon the inhabitants of that part of Brazil, to make it appear that they were wreckers and assassins; whereas he could assure the House that this was a libel on the inhabitants of Rio Grande, who were a brave and independent people, well known for their hospitality and generosity—so much so, that a man might travel through the whole of that country without a dollar in his pocket. He might give instances of the *Rival* in 1841, the *Pym* in 1848, the *Ada* in 1856, and several other vessels, to show that on every occasion the Brazilian authorities had done everything in their power to protect wrecks and save lives. In 1850, in the case of the *Charles Buchan*, the Brazilian steamer of war *Amelia* was placed at the disposal of Mr. Consul Morgan, and not only saved the cargo, but the whole of the crew; and in 1861, at the same time that the wreck of the *Prince of Wales* occurred, the *William Peel* was saved by the Brazilian authorities. No doubt an erroneous impression on the subject had been produced in the public mind, partly in consequence of the reiterated assertions that had been made throughout the correspondence, and partly in consequence of auxiliary statements made principally by a merchant of Glasgow named Stephens, who wrote some very strong letters alleging that the crew of the *Prince of Wales* had been murdered and the cargo plundered. Mr. Stephens, in a letter addressed to Lord Russell, dated January 7, 1862, stated that he had ascertained that the captain, his wife, and crew, had landed safely with his boats on the Brazilian territory, with his flag, chronometer, logbook, &c., with provisions and all other necessaries, except fire-arms or weapons of defence. Persons reading such a letter, would suppose that this man had the most authentic evidence that the crew had been murdered; but, when applied to by the hon. Gentleman the Under Secretary (Mr. Layard) for his authority, he simply gave that of the Master of the *Hound*, a vessel which had been wrecked in the same gale as the *Prince of Wales*, but which, with its crew, had been saved by the Brazilian authorities. Now, this man put in a claim for compensation for the ship, cargo, and freight—freight which he had not earned; but in a subsequent letter he said, if Lord Russell would oblige the Brazilian Government to pay, he would at once bury in oblivion everything he had said respecting the murders—he would not make it public, nor say a word about it. It was perfectly clear, therefore, that the motive that had influenced Mr. Stephens in bringing this charge against the Brazilian people was to get money for his cargo, ship, and freight. With respect to the plunder alleged to have taken place, he had taken the trouble to send to Glasgow for a list of the cargo; and from its character it appeared impossible that any but a very small portion could ever have reached the shore. The cargo consisted of forty cases of merchandise, and some other things which would be rendered valueless as soon as they touched water; as, for instance, there were 150 tons of coal, 20 cases of nails, 12 cases of sewing cotton, 9 cases of paint colours, 100 cases of soda ash, 253 barrels of beer, 33 cases of glass, and 20 bales of canvas. Of a cargo of this nature it was not probable that any large portion would ever reach the shore. Consul Vereker stated that from the things washed ashore it was clearly proved that the vessel was fitted up with great luxury. This was another of Consul Vereker's exaggerations, for which there appeared no foundation whatever. The vessel was only 315 tons register, and twenty-two years old, having been built in 1840, at Sunderland, where they were not in the habit, especially at that date, either of building very smart vessels, or of fitting them up with very great luxury. In the first instance, the demand for compensation amounted to £6,525, the cargo and stores being valued at £5,500, and the freight put down at £1,025. The value of the total entries as declared at Glasgow was only £3,500. But he saw no reason why even this sum should be demanded, as the utmost claim on the Brazilian Government ought to be for the portion supposed to be stolen.

He would now pass to another part of the subject. He desired to call particular attention to the despatch of Earl Russell, dated February 28th 1863, wherein the noble Earl observed to M. Moreira, that had a Brazilian ship been wrecked on the coast of Cornwall, and dead bodies been afterwards found on the shore, the coroner of the district would at once have had the dead bodies produced, and would have held an inquest on them; that had any magistrate appeared with an armed force to prevent this being done, twenty-four hours would not have elapsed before the magistrate would have been dismissed, and a military force would have been sent to protect the judicial proceedings of the coroner. He wondered how the noble Earl could have drawn a comparison between cases so dissimilar. There was no justice in comparing the coast of Great Britain with that of Brazil. The province of Rio Grande was as large as this country, and had only a population of 340,000 inhabitants. Nevertheless, he accepted the challenge of the noble Earl, and he would maintain that there were proceedings on our own coasts quite as bad as anything complained of on the coasts of Brazil. During the year before last, the wrecks on the coast of Great Britain amounted in number to 1,494, and out of these 210 were wrecks of foreign vessels, and he need not tell the House that many of them were plundered, and in no case could he find that any compensation was ever made or had been claimed by any foreign Government. There might possibly be some exceptional case, in which compensation was obtained, but he had been unable to discover it, and therefore he must take it as the rule that compensation had neither been demanded nor paid. In reference to the state of things on the coast of Cornwall, he would read to the House an extract (*Haydn*, p. 559) in which it was stated, that—

> "When a wreck took place, thousands of the inhabitants of the coast assembled with axes, hatchets, crowbars, and other instruments; men, women, and children fought by habit for plunder, utterly regardless of the sufferers."

That description was written about six years ago. It was well known that there was a time when it had been, and even now was, occasionally the practice, not only in Cornwall, but on other parts of the coast of this country, to use stalking horses to lure vessels on shore, in order that the wrecks might be plundered. The same, or worse, had been the case in the colonies. It was notorious that in the Bahama Islands a great many men lived by the plunder alone of wrecks, and he was not aware that any compensation had ever been obtained by the losers. On the St. Lawrence wrecks took place every year; and in one locality the party receiving the plunder actually turned the wrecked ship into a store, and sold portions of the wrecked cargo to passers-by.

He would now pass to the important subject of the negotiations at Rio. By reference to the Correspondence he found that great delays had occurred, more on the part of the British than the Brazilian authorities, in bringing the matter to a conclusion; and at last, when all might have been settled, the British Minister at Rio brought on by a precipitate proceeding most disastrous consequences. Great excitement existed there; and, finally, instructions were sent out by Earl Russell to Mr. Christie to make an offer of arbitration with respect to the case of the *Prince of Wales*. The instructions of Earl Russell would be found at page 95 of the Correspondence, but unfortunately the offer of arbitration was accompanied by conditions which the Brazilian Government could not accept; for one of these conditions was, that they must first acknowledge that they were in the wrong. After this, the extreme measure of reprisals was taken; but Mr. Christie, becoming alarmed at what he had done, and at the excitement which it had caused in Rio Janeiro, declared his willingness to consider the propriety of referring the matters in dispute to impartial arbitration. That concession, however, should have been made earlier. Had it been made in the first instance, on the receipt of Earl Russell's despatch, there could be no doubt that it would have been accepted on the other side, and that the disastrous consequences which had since arisen might have been avoided. On the 30th of December Mr. Christie ordered reprisals. On the 31st he proposed arbitration, and on the 3rd of January the memorandum of arbitration was agreed to. Had there only been a prudent and cautious man on the spot as the representative of the British Government, the matter might have been at once amicably arranged, and the lives and property of Englishmen would never have been endangered. He would not go further into details; he would only observe that it might be years before the consequences of the uncalled-for interference of Mr. Christie were obliterated from the minds of the Brazilians. There was no other country in the world with which we ought more anxiously to cultivate intimate relations than Brazil. It was the only country in South America which had a monarchical Government, and which had kept faith in its foreign engagements. This had attracted British capital to Brazil, which had obtained its loans on better terms than other countries from European states. Much British capital had been invested in Brazilian railways, and almost all Brazilian stocks were at a premium, which showed the confidence entertained in the loyalty and honesty of the Brazilian Government.

He had now to touch on a delicate subject; but when he considered the magnitude of the interests at stake, he felt he must not shrink from exposing the true state of the case. The whole of the mischief in Brazil had arisen from the conduct of Mr. Consul Vereker, who had distorted almost everything he had written home about. This would be shown by reference to page 202, where Mr. Christie, in a despatch to Earl Russell, states that Mr. Vereker, when he came from Rio Grande on his way home, was in a state of nervous excitement, with a delusion about attempts to assassinate him. Now, it was beyond a question that that excitement was not due to the visit to the wreck, but had existed for a long period; and he would ask his hon. Friend (Mr. Layard) whether he did not know that Mr. Vereker had been taken by Mr. Christie himself to a medical man in Rio Janeiro, in order to ascertain the state of his mind, and whether he was not sent away from Rio Janeiro on that account, landed at Bahia, returned to Rio, and sent away a second time? Yet it was upon the assertions of a man of disordered mind, who could not go from one place to another without dread of assassination, that the British Government had made reprisals upon Brazil. He learned from a letter which he had that day received from Rio Janeiro, that a very unpleasant feeling still existed there, and that a very unpleasant correspondence was going on between the Governments of Brazil and Great Britain. He would not say that Mr. Christie had wilfully exaggerated or misrepresented what had occurred; but his behaviour certainly gave some colour to General Webb's charges against him. In a letter to Earl Russell, General Webb the American Minister, said that Mr. Christie had quarrelled with the Envoys of Russia, Austria, and Prussia, and with the Pope's Nuncio; and that, lastly, he had had himself to interfere in order to protect one of Mr. Christie's own *attachés*. "All the circumstances," added the General, "go to prove a reckless disregard of truth on the part of Mr. Christie, which is not characteristic of a gentleman, and certainly not commendable in a representative of the English nation." That was not the way in which they were accustomed to hear a British representative described.

He hoped that the noble Lord at the head of the Government would adopt such a course as would restore the cordial feeling which formerly existed in Brazil towards Great Britain, among all classes, from the Emperor downwards. He trusted that instructions would be sent out by the mail to-morrow calculated to conciliate Brazil and re-establish cordial relations between the two countries. Brazil would be happy to receive friendly advances on our part, for she was comparatively helpless in our hands; but as we were great and powerful, we ought also to be just and generous. He disclaimed all party feeling—he was acting quite independently in bringing the matter forward—and he had endeavoured to frame his Resolution in such terms as might make it acceptable to Her Majesty's Government. In conclusion, he had only to express his hope that the next mail would not be allowed to depart without some step being taken on the part of Her Majesty's Ministers to reconcile the interests which were now jeopardized between the two countries. In conclusion, thanking the House for its attention, he would now move formally the Resolution.

Lord ROBERT MONTAGU seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House has learned with regret the interruption of amicable relations between this Country and Brazil; and this House expresses the desire that Majesty's Government may take such measures to restore a cordial understanding between the two Countries as may be consistent with the character and honour of this Country, having, at the same time, a just regard to the dignity and honour of a friendly and independent Power,"

—instead thereof.

Mr. COLLIER said, that when the hon. Member first put his Resolution on the paper he gave notice of an Amendment which, he thought, would better express the sense of the House. The question now came before them in another form. In the ordinary course of business they should now go into Committee of Supply; but the hon. Member interposed and said in effect that they ought not to go into Committee until they had passed his Resolution. It was incumbent upon the hon. Gentleman to show some strong reason why the House should depart from the usual order of business. He confessed, for his own part, that having read the Resolution, he had great difficulty in understanding it. He could not make up his mind whether or not the hon. Member meant to censure the Government for the course they had adopted. If the Resolution was intended as one of censure, he should contend that the censure was undeserved; if it was not a Motion of censure, he saw no reason why the House should pass it; while, in either event, there was no good ground for the House abstaining from resolving itself into Committee of Supply.

Before dealing with the facts of the case, it might be convenient that he should state the principles of international law which appeared to him to apply to it. Vattel said, under the head of "Reprisals," that a Sovereign demanded justice or made reprisals, not only for his own concerns, but also for those of his subjects, whom he was bound to protect, and whose cause was the cause of the nation. The cause of reprisals, he added, ought to be just—they ought to be founded on either an actual denial of justice, or one which there was good reason to apprehend. Vattel subsequently stated that reprisals might be resorted to if justice were denied or unreasonably delayed, or if the decisions of the tribunals were manifestly unjust. When a claim was made by one country against another on account of an injury sustained by citizens of the first, it was no answer to say—"Our population are lawless, and we cannot restrain them. Our tribunals are incompetent, and they have not the means of enforcing the attendance of witnesses, of punishing the guilty, or of restoring the goods which have been stolen." The reply was this—"You are bound to maintain an effective police and an effective magistracy; and if, on account of default in your duty, our subjects have sustained injury without redress, we have a claim upon you." The imperfection of international law consisted in the fact that when one nation had a claim against another there was no tribunal to enforce it. The injured nation, therefore, must take the law into its own hands; and it did so either by reprisals, which was the recognised mode by which a nation righted itself, or by resorting to the dread alternative of war. It appeared to him that the case against Brazil might be thus summarized—"An English vessel was wrecked upon your coast. All on board her perished. Probably some of the crew were murdered. It is certain that their bodies were stripped and plundered. It is admitted by yourselves that wholesale robbery took place upon the cargo and the effects of the passengers. Those functionaries in the locality to whom you intrust the the administration of justice, for whose conduct you are responsible, whose duty it was immediately to repair to the spot to succour the survivors, if any, and to protect the cargo, or at least to take prompt measures for the apprehension of the offenders and the restitution of the stolen goods, and to hold an immediate inquest on the dead bodies, were in all probability accomplices in the atrocious crimes which they were bound to investigate and punish. It is certain that they failed in their duty." ["No!"] Yes; he would prove it by the facts stated in the correspondence. "For fourteen months we waited, during which time we exhausted every form of remonstrance, application, and intreaty. In the result we have not obtained justice, and we therefore make a claim against you." That was our case against the Brazilian Government, and he undertook to prove it by the correspondence, and even by the admissions of the Brazilian Government themselves.

The *Prince of Wales* was wrecked on the coast of Albardao. The hon. Member for Lincoln, like the agents of the Brazilian Government, had described the inhabitants of that coast as a simple, primitive, inoffensive, and hospitable race. Was that, indeed, their real character? He held in his hand a newspaper, *The Echo do Sul*, published in Rio Grande, which gave a rather different account of them. It described Albardao as "that classical district of depredations, robberies, assassinations, and stranglings." Such was the character of the people as drawn by one of their own newspapers. Gentlemen connected with insurance offices had told him that the character of this coast was notorious, so much so, indeed, that if a vessel were lost upon it, small hopes were entertained of seeing any thing more of either crew or cargo. He would prove, from the statements of the Brazilian authorities themselves, that such was the character of the inhabitants of Albardao; and if the fact were so, then he contended that if the Brazilian authorities had not instituted an efficient magistracy and police long before this, it showed a recklessness and disregard of human life and property little creditable to them. The *Prince of Wales* was wrecked on the 9th of June, 1861. There were three functionaries in the immediate neighbourhood, to whom was intrusted the administration of justice, and for whose conduct the Brazilian Government was responsible. The first was Senhor Soares, who was described as a justice of the peace and a man of great property and influence, exercising an extensive sway over the inhabitants of the coast, who were represented as being his dependents and retainers. He appeared to have occupied the position of a feudal chieftain in the olden time. The next was Faustino, a son-in-law of Soares; he was called the inspector of the district. The third was Gonçalves, the sub-delegate of police at a town six leagues distant from the scene of the wreck. It was manifestly the duty of these three functionaries immediately to repair to the spot to succour the survivors, if any, to hold an inquest on the bodies of the dead, to protect the cargo, or, if that were impossible, to take prompt measures for the apprehension of the thieves and the restitution of the stolen property. On the most favourable supposition they did nothing; but that supposition was far too favourable. Let the House see what they did. The information of the wreck was given at the house of Soares, who lived four miles from the spot, on the 9th. What did Soares do? He absented himself, and was found at Rio Grande on the 12th. He let out casually in conversation that some English bodies had been washed ashore. That was brought to the ears of our Consul, Mr. Vereker, who immediately supposed that there had been a wreck. Soares was questioned, but he denied all knowledge of the circumstance. The hon. Gentleman opposite had been ill-advised in the comments he had made upon the conduct of English magistrates. There was not a Cornish magistrate to be found who, on receiving information of a wreck and of dead bodies being washed on shore, would absent himself from his duty and deny all knowledge of the wreck. A most unfair attack had been made upon Consul Vereker. On the same principle as the Brazilian Government had whitewashed the innocent inhabitants of the coast, they had thought it necessary to blacken the English Consul, because he had performed his duty zealously but inconveniently. Was it fair to blame that gentleman because, on hearing of the circumstances, he immediately proceeded to the spot and made every inquiry into them? The hon. Member said that Mr. Vereker laboured under delusions; and it appeared that some months afterwards he had an attack of brain fever, which for a time, no doubt, affected his intellect to a certain degree, but he had since recovered. That attack was produced, in a great measure, by the excitement which this occurrence caused him. He was deeply affected, as it was probable he would be, by the murder of his fellow-countrymen, and by the apathy and indifference—to say nothing more—of the Brazilian authorities. He used his utmost endeavours, but in vain, to goad them to exertion. Throughout his correspondence, however, there was not a single expression betraying the least symptom of mental aberration; and it was not creditable to impugn his character because he had endeavoured to discharge his duty. Mr. Vereker obtained the assistance of the municipal judge; they went to the scene of the wreck, and proceeded to the house of Soares, the justice of the peace, who had then absconded. He found the daughter of Soares there, (the wife of Faustino, the inspector of police), who gave him an inhospitable reception. The Consul was evidently regarded as a most inconvenient visitor—and why? Because he found stolen goods in the house of Soares. He found two bran-new Bibles there, which certainly belonged to the crew, if not to the captain, and which were entirely undamaged by sea water. He also found there two empty crates for Manchester manufactured goods, which had recently been broken open. He went next morning to the shore, which he discovered to be strewed, for a great distance, with boxes and bales and fragments of the wreck. Some had been broken open by being dashed against the rocks, others bore traces of having been broken open a few hours before, the marks of the tools used for the purpose and the smell of turpentine being both fresh upon them. Faustino professed to have kept guard over them; but if Mr. Vereker was right, his guard must have been like that of the wolf over the sheep. The Consul also described the state of two boats, the long-boat and the gig, lying on the shore. They were near together, their prows being towards the shore. The long boat was but a little damaged at the bow, as if it had struck hard against the sand, and the gig was altogether undamaged. The oars of the boats were uninjured. Either in or close to the boats Mr. Vereker found certain trunks and boxes belonging to the crew lying broken open, and with the paper linings of the inside quite dry. If they had been washed ashore, it was not likely the linings would have remained dry. They must manifestly have been brought ashore in the boats, in which also it was almost certain that many of the unhappy crew had reached the shore alive. But the evidence did not stop there. Mr. Vereker was told that ten bodies in all were washed on shore, and that fact was admitted by the Brazilian authorities. He applied to the inspector Faustino to be allowed to see the bodies; but that official objected. When Mr. Vereker pointed out to Faustino the marks of instruments upon the opened cases, showing that they had been forcibly broken open, he did not answer him. The municipal judge promised an immediate examination of the bodies. Faustino was then present, but he quickly joined his followers, and after appearing to be engaged in earnest conversation for a time, he returned, saying it was impossible to go to the place where the bodies were that night. The municipal judge then declared that he had no power to do what the Consul required. Faustino, the inspector of the district, whose duty it was admitted to have been to hold an inquest on the bodies, not only omitted to hold one, but concealed from our Consul the locality in which the bodies lay. Nor was that all. On our Consul asking to see the bodies, and requesting the municipal judge to hold an inquest, Faustino interfered by armed force to prevent its being held. No doubt, in a despatch from M. Moreira, containing more special pleading than he had known of at the Temple for some time, it was said that Faustino did not prevent the inquest being held by armed force, because the force of the municipal judge was as strong as his; yet at all events, between those two functionaries, the inquest was not held, but was postponed till it was wholly useless. He would refer to one or two of the Brazilian despatches, in order to give the Brazilian account of the way in which justice was administered. Mr. Vereker, being unable to obtain a sight of the bodies, returned to Rio Grande, and very properly required the authorities to direct the bodies to be brought there, and an inquest to be held upon them. He had applied first to the municipal judge to order such an inquest; that officer said it was not his business, but the business of the delegate of police to do so; the delegate of police replied, that it was the business of the municipal judge; and thus the matter was bandied between them. The result of these disputes was, that the offenders remained unpunished, and gained time to conceal the product of their criminality. Well, an inquest was held on four bodies—only on four. There were two inquests alluded to in the papers; but hon. Members would find if they examined them carefully, that there were two inquests held at different places on the same four bodies. Now, nothing could be more unsatisfactory than those inquests. In the first place, one of those who held the inquiry was a brother-in-law of Soares. The result was this:—They said that death was caused by drowning; but they also stated that the bodies were in such a state of decomposition that it was almost impossible to ascertain the cause of death; and when the House recollected that more than a fortnight had elapsed in a tropical climate, they would be able to see that the inquest could not have been satisfactory. But a few awkward facts transpired. Faustino had said that all the bodies had been buried, and yet it turned out that of these four bodies three were unburied at a distance from the shore. How came they there? It was possible to conceive, that if a dead body had been washed on shore, it might have been drawn inland for the purpose of burial; but it was difficult to suppose that a body could be drawn in shore for any other purpose than burial. There were three unburied bodies, stripped of nearly all their clothes, no watches, rings, trinkets, or papers—they were stripped and plundered. He was afraid the inference was too strong that these four bodies were a portion of the crew who possibly had escaped the slaughter of their fellow-countrymen, and who, having got a certain distance inland, were overtaken and murdered. An inquest was held on these four bodies, and one or two awkward facts transpired. It turned out that the skulls of one or two were fractured. It was true that the injury might have arisen from the head coming in collision with a rock—but that was merely a supposition; while, on the other hand, the injury was quite consistent, at all events, with murder. There was also an expression used on the inquest to the effect that the bodies presented signs of strangulation. It was quite true that they subsequently explained strangulation to mean something else quite different; but the Brazilians had a way of explaining away every fact which turned out awkward. Now, so much for the inquest on these bodies, which at that time was a mere mockery, the delay having rendered the mischief irreparable.

If the House would permit him, he would now call their attention to one or two extracts from the papers, which showed the way in which justice proceeded. Mr. Vereker, after the first inquest, requested that a further inquiry might be held. In page 16 would be found a letter from Senhor Garcez, the delegate of police, in which he states he had done everything possible for the advancement of the process—they always said that. It was necessary, however, he stated, to have the deposition of the witnesses, and this could not be obtained, because it was necessary that various persons of Albardao and the neighbourhood should be notified to appear in his city (Rio Grande do Sul), and they all refused to attend. What was this but an admission that the tribunal was incompetent to procure the attendance of the witnesses? He did not care whether this was true or not; for whether the Brazilian tribunals were corrupt or incompetent, there was their own admission that justice could not be done, and in that case the State became liable for any claim that might be made by a foreign Government. Senhor Garcez also admitted that "the cargo of the barque was all sacked." Senhor Callado, secretary of the police in Porto Alegre, writing to Senhor Garcez, used this language—

> "If the witnesses should refuse to swear the truth against the wealthy inhabitants of the district, who, according to your opinions, are the principal criminals, they ought to be processed."

The only offender who had been caught was Mariano Pinto, a small criminal, and he had not been tried to this day. ["No, no!"] Yes. If hon. Members read the despatch from Mr. Christie, dated September 18, 1862, they would find, that although the Brazilian authorities talked of eleven men as being in custody, they all ran away on processes being issued against them. Mariano Pinto was in truth the small minnow who had alone been landed; the sharks had all broken through the rotten net of Brazilian justice. In the only examination of Soares, on the authority of Mr. Bailey, the predecessor of Mr. Christie, and a gentleman against whom the Brazilians made no imputation, we were told that Consul Vereker had not the opportunity of being present. It was now pretended that no evidence could be obtained against Soares, but they conducted the only examination of him in the absence of Mr. Vereker, he being the man that could have deposed that he found stolen goods in the house of Soares. That was the way in which they conducted criminal justice in Brazil, so that, as Mr. Bailey further on said—

> "It is much to be hoped that the Government will punish some of the local authorities, who have been clearly guilty of most culpable negligence."

He added that—

> "The administration of justice is extremely faulty, and that an acquittal is almost invariably granted to those who can pay for it."

Another despatch from the delegate of police, dated December 19, contained a clear admission of the incompetency of the Brazilian tribunals—

> "I used every diligence," he wrote, "to know of some other persons who may have robbed the cargo of the English barque; but all was unsuccessful; it resulting thence that the real robbers will remain, perhaps, unpunished, without justice having means to discover and process them."

The same document dwelt upon the difficulty of making the witnesses resident at Albardao attend and give evidence; their repugnance to appear before judicial authority, and the want of resources to compel their attendance—the first and most necessary function of all tribunals. Practically, nothing was done until the arrival of the gunboat. The Marquis Abrantes made a great parade of the constant endeavours which the central Government had made to induce the local Government to do its duty; but from an interview which took place with Senhor Rocha, the President of the province, on the 6th of April, it appeared that "no communication had reached him from the Brazilian Government" up to that time. The next day the President, having become apparently better informed of the circumstances, declared that he would direct the chief of police to undertake a searching inquiry, but that it would be difficult to find proofs, in consequence of the time that had elapsed. Of course it would be, and that was what they had all along complained of. However, another inquiry was ordered; but there being an objection to recognise Captain Saumarez as appearing in an official capacity, that officer consented to be present as a private individual. Captain Saumarez waited two or three weeks, but no investigation was entered upon; and, being then obliged to leave, it was admitted that the investigation had been purposely delayed till his departure. Well, another inquiry was instituted; but Consul Vereker complained, that the inquiry which was so entered upon, was held, not by the chief of police, as promised, but intrusted to a delegate with no powers, who might easily be frightened by the magistrates and powerful delinquents upon the spot. The irresistible impression left on the mind of the Consul was, that the proceedings were not undertaken for the purpose of discovering the truth, but rather of satisfying the Brazilian and British Governments by hushing up, through a mock inquiry, that part of the question which related to violence supposed to have been offered to the crew. The chief commissioner of police next appeared upon the scene himself—and this was one of the clearest and most manifest shams of the whole. His proceedings were thus described in the *Echo do Sul*—

> "The chief of police, accompanied by the ensign and two or three police soldiers, went yesterday morning, and with luggage, outside the town. We believe that his Excellency proceeded to Albardao, the classical district of depredations, robberies, assassinations, and stranglings."

The paper proceeded to say—

> "The distinguished chief of police goes very late in search of the criminals;"

Adding the significant expression—

> "We believe, however, that if his Excellency should so desire, he will still meet with many vestiges of the crime."

Instead of going to Albardao, the chief of police only proceeded one-third of the way, and returned to town the following day. But the Consul, whom it was his object to deceive, found out the circumstances. The chief of police went away again, and after his departure Dr. Canarim, the delegate of police, informed Mr. Vereker that proofs had been obtained against six or seven individuals for plundering the cargo, but that no arrest had taken place, as others of greater influence were involved, and it was feared that the principals would escape if those of less note were prosecuted. This was reversing the course adopted in England, where it was always sought to reach the principals through the agents, the latter being frequently induced to give evidence for the prosecution. Dr. Canarim, who was the only one of the authorities that had shown the slightest desire to do justice, and who might possibly have done justice if he had not been thwarted by other authorities, persons in high positions, added, that the sub-delegate, Gonçalves, had been dismissed in consequence of not having performed his duties in connection with the wreck of the *Prince of Wales*, and that Faustino da Silveira, the inspector, who had been nominated to the same office, had been removed and prosecuted for his proceedings. Up to that moment, it had been contended that these officers had acted in the most exemplary manner. For a long time the Marquis of Abrantes would not admit that the officers had been dismissed for culpable conduct, because he knew that in that case the Government would by the law of nations be bound to make reparation; he said that the sub-delegate had been slightly negligent, had lost the prestige necessary for the discharge of his duty, and had therefore been dismissed. With regard to Faustino, he (Mr. Collier) was sorry to say that the Marquis knew very well, when he stated that the inspector had been dismissed for a slight negligence, that he had really been dismissed because he had not arrested a person who had been found with stolen property in his possession. That fact oozed out subsequently, for it appeared from the report of the chief of police, that Faustino had been dismissed for having thought he might let go one of the implicated persons, who afterwards escaped. Was it not manifest, then, that the Brazilian authorities had delayed the inquest till it was too late, that they had abstained from affording the protection which they were bound to afford, and that they had taken no real steps to apprehend the guilty persons and bring them to justice? For fourteen months only one man was arrested, and that man to this moment had not been tried; the great offenders had been suffered to escape. It was true, they had dismissed the inspector and the sub-delegate, but the main offender, Soares, in whose house the stolen property was found, who denied all knowledge of the wreck, and who had absconded when it was his duty to be present, was not only not prosecuted, but he was not accused; he still retained his office of justice of the peace, still represented the Brazilian Crown in that quarter, still exercised sway upon the coast; and those unfortunate persons who might be afterwards wrecked there, were to be still left to the tender mercies of that robber chieftain and his retainers.

These facts were conclusive against the Brazilian Government. It had been shown that justice had been denied, that it had been unreasonably delayed, and in either event, according to the principles of international law, a just claim arose against the Brazilian Government. He would not discuss the amount of the claim—it was enough to say, that Her Majesty's Government had always been willing to refer that point to arbitration. Her Majesty's Government would have been wanting in their duty if they any longer delayed to obtain by force that which had been denied to justice. He could not help thinking, if Government had quietly acquiesced in this denial of justice, there were many hon. Members opposite who would accuse them of indifference to British interests. He could quite suppose an hon. Gentleman opposite leading the attack, and asking, "Why we send our Consuls and Ministers abroad; why maintain fleets in all parts of the world; is it not to protect the lives, property, and liberties of Englishmen?" But what was the use of Consuls, Ministers, and fleets, if, when a great wrong had been committed upon British subjects, instead of demanding justice and insisting upon it, we allowed ourselves to be put off by words, subterfuge, and evasion? It appeared to him that Her Majesty's Government had acted in accordance with the principles of international law, and in accordance with the policy which the greatest statesmen of this country had pursued. It was upon this policy that Cromwell had acted, who, whatever his crimes, had almost redeemed them and rendered his usurpation illustrious by his resolution to enforce the just rights of Englishmen in every part of the world. Such was the policy of all our leading statesmen—of the noble Lord at the head of the Government—a policy which had been approved by the House thirteen years ago, when the noble Lord insisted upon redress from the Government of Greece in the case of Mr. Finlay and Don Pacifico. But the case against the Brazilian Government was much stronger, the outrage was of greater magnitude, and the tribunals of the country had been appealed to in vain. In the course of a long debate no one could be found to maintain that if recourse had been had to the ordinary tribunals and the appeal had failed, a conclusive case would not have been made out against the Government of Greece. It was only in the last resort that we had appealed to physical force to induce the Brazilian Government to do their duty. It was sometimes said, "Show forbearance to weak States." But weak States must learn not to presume too much upon their weakness. There were limits to the aggressions of the weak and to the forbearance of the strong. It was almost impossible to suppose that a case of this kind could have arisen with a strong or a highly-civilized Government. Did any one suppose that on the coast of France or America a justice of the peace could be found who was the possessor of stolen goods, and another who would resist by armed force the holding of an inquest? Had we such a strong case against France or America, he would venture to say, public opinion would scarcely brook the delay or the forbearance which had been shown to the Government of Brazil, and that hon. Gentlemen opposite would take Her Majesty's Government to task for having shown it. The interruption of friendly relations was an evil to be regretted, but it was an evil which, he believed, was past. Still, the evil of submitting to such treatment would be far greater, because such a course would permanently affect the security and comfort of every British resident in Brazil. He could not conceive a greater evil than that which would result if the House, by affirming the Resolution of the hon. Gentleman, should allow the intelligence to go out to British residents in foreign countries, and especially in countries half civilized, that the redress which they had a right to expect from England was now rendered precarious by the House of Commons. In a spirit friendly to the Brazilians, he trusted that this lesson would not be lost on them. If they aspired to take a place among civilized nations, they must no longer intrust such men as Soares, Faustino, and Gonçalves with the administration of justice, nor plead to other nations that their tribunals are incompetent. If the noble Secretary for Foreign Affairs should, by the course he has pursued, have induced the Brazilian authorities to take measures to protect shipwrecked mariners and merchandise on the coast of Albardao, he would have done a service not only to this country but to humanity.

Lord ROBERT CECIL said, the question was not whether the inhabitants of Albardao were robbers—not whether the barque *Prince of Wales* was plundered—nor even whether or not the tribunals of Brazil were or were not beyond our reach—the question simply was, whether the Brazilian Government had done anything which justified this country in adopting against that Government a measure of force, which, if resisted, would have occasioned war. The hon. and learned Gentleman (Mr. Collier) had made a great deal of a supposed fact, that the tribunals of Brazil were incompetent to render justice; but the hon. and learned Gentleman would scarcely have ventured to dwell so long on that point if he had been a responsible supporter of the Government. Did the hon. and learned Gentleman mean to make war on every country where the tribunals were unable to afford redress to English citizens? The hon. and learned Gentleman spoke of the bribery of Brazil. Was there bribery nowhere else? Was there not bribery in Russia; and yet would the hon. and learned Gentleman propose to go to war with Russia if any Englishman failed to obtain justice in a Russian court of law? Was Brazil the only power that could not enforce its criminal laws? Look at the present state of the South of Italy. Suppose that in the South of Italy an Englishman were carried by brigands into the mountains, and the Neapolitan authorities were unable to rescue the captive, did the hon. and learned Gentleman mean to say that England should seize a number of Italian ships in retaliation? Albardao was a strip of land on the southern extremity of the huge empire of Brazil and where in consequence the administration of justice was attended with extreme difficulty. As always happened in frontier districts, where two jurisdictions clashed, criminal classes congregated, as they could in such places more easily escape from the penalty of crime. The same was the case on the border of our own English counties. He believed that there was a great number of wreckers among that population, but the moment there appeared a chance of investigation the offenders crossed the frontier into the republic of Uruguay, and prosecution then became impossible. The wreck which gave rise to the present debate having occurred on a thinly-populated coast twenty miles from the nearest town, the police authorities, whose duty it was to investigate and report on such matters, did not arrive on the spot until two days after; and it would then have been impossible to recover the stolen property or arrest the offenders, as no doubt, they had fled over the border. All that took place after was perfectly immaterial. Consul Vereker, who went down to the coast, complained that the Brazilian authorities were slow in their proceedings; but that surely, could not be said to constitute a case of war. Consul Vereker demanded an inquest, and after some delay, in conformity with Brazilian law, the inquest was held; but of course it was perfectly useless, as far as the punishment of the wreckers or murderers was concerned, as they were far away over the frontier. This was the broad outline of the whole case, with the exception of Consul Vereker's impalpable suggestions and suspicions. The Consul had been defended by the hon. and learned Gentleman, and it was said that the Brazilian Government descended to run Consul Vereker down, describing him as mad; but there was the testimony of Consul Vereker's superior, Mr. Christie, in connection with that point. Mr. Christie wrote to Earl Russell—

> "Your Lordship will understand the allusion made to Mr. Vereker's fallibility on questions of assassination. It is, of course, known to the Brazilian Government, as it is known to your Lordship, that Mr. Vereker, when he lately came to Rio from Rio Grande, on his way home, was in a state of nervous excitement with a delusion about attempts to assassinate him."

If, therefore, the British Government had been betrayed into the commission of an act of violence, it was because they had acted on the testimony of a man who was described by his own superior as being subject to delusion. Take the case of Soares. Consul Vereker stated that he found in his house a Bible which had evidently been taken from the wreck, not wetted and in a good condition, and upon this the accusation against Soares was founded. Now, did wreckers steal Bibles? Was that the kind of plunder about which they were most anxious? Why, it would be obvious, that when a wreck took place on a coast like that, an article such as a Bible might be carried to the chief family in the place without implying the least criminality. In this matter of reprisals the House must be guided by the masters of international law. Wheaton, the American jurist, said that reprisals could only be made in a case if clear and obvious; and Dr. Phillimore said—

> "Letters of reprisal are not to be granted without a full knowledge of the causes that justify them. Moreover, it must be *res minime dubia* in which justice has been denied; and it must have been absolutely denied by all the tribunals of the country before which the cause could be brought. An erroneous sentence conscientiously given by free judges, unbiassed and unintimidated by any judicial authority, affords no just ground for reprisals."

The fact of finding the Bible Consul Vereker kept to himself, and there was no evidence in the papers that it was ever mentioned to the Brazilian authorities; therefore it could not be said that there had been a denial of justice. As to the packing-cases, they were never mentioned at the time, nor until some months afterwards, when these delusions were creeping upon the mind of Mr. Vereker, when he remembered that nine months before he had seen some empty packing-cases in the house of Senhor Soares. Was that evidence on which you could go to war? Then they were told that Soares had absconded, but where did he abscond to? Why, to the capital of the province, Rio Grande, where all the authorities, judicial and military resided, and he was himself the first person to inform Mr. Consul Vereker of the wreck. The hon. and learned Gentleman tried to persuade the House that because Senhor Soares was at Rio Grande on the 12th, the wreck having taken place on the 8th, all inquiry was delayed by those four days. But the inspector whose business it was to deal with the matter had received the intelligence, had gone down to the coast, and was riding the eighty miles which were necessary to bring him to Rio Grande. After the principal offenders had escaped across the frontier, a delay of three months, six months, or eighteen months was of no consequence, because all subsequent proceedings were useless. There was, undoubtedly, a little delay. The inspector heard of the wreck on the 10th, and he did not reach Rio Grande until the 14th, and it was admitted by the Brazilians themselves, that if he had ridden faster, he might have been there a day earlier. It was true, that if that delay had been avoided, there might have been a better chance of catching the offenders; but before the House decided that on that account the conduct of the Brazilian Government justified a war, let them consider the length to which such a doctrine would carry them. There was no doubt, that owing to some delay on the part of the Foreign Office in applying to the *Alabama* the English law, the United States had suffered severely; but would they not have thought it the extremity of madness if on that account the United States had made reprisals upon our vessels? The difference was, that in the one case a strong Power was dealing with a weak one; and in the other, two strong Powers were dealing with each other.

But the act of violence which had been committed at Rio Janeiro was not founded solely upon the affair of the *Prince of Wales*. There was another case to which the hon. and learned Gentleman had thought it expedient not to allude, but about which a few words must be said. There was now before the King of the Belgians, for his arbitration, the most ridiculous case that had ever appeared in an English blue-book. Three young gentlemen, one of them a chaplain from the ship *Forte*, went upon an "outing" on the

Brazilian territory. They were in plain clothes; and as they were going a long distance, he might assume that they wore shooting-jackets, or something analogous. They went to a public-house, and drank half a bottle of brandy and two bottles of wine. There was a good deal of dispute as to whether the wine was light claret or heavy burgundy, and the King of the Belgians would have to inquire into that question. If it was claret, such as the Chancellor of the Exchequer had been good enough to give the country, no impeachment could be made upon the sobriety of these gallant sailors; but on the other hand, if it was heavy wine, remembering that they had taken a long walk, and that the sun was hot, he thought that he might assume that their hearts were merry within them. The matter did not, however, rest upon *à priori* probabilities; an Englishman, named Robert Bennett, who kept a public-house, had made a deposition, which appeared at page 66 of the blue-book, in which he stated that these three gentlemen, when returning from their hotel, passed his house, and that they were then singing merrily. The Brazilian authorities asserted that they knocked the passengers about, and interfered with an old woman upon a horse. He did not think that there was any proof of that; and they themselves said that they were in an amiable frame of mind, and were distributing coppers to Blacks. That was evidence, not that they were drunk—no British sailor ever was—but that they were in a merry and generous humour. When they arrived at the post of a sentry, they went up to him, and one of them addressed him in bad Spanish. The sentry did not understand bad Spanish, and took it for a bit of Portuguese chaff, which was supposed, he could not see why, to be insulting to sentries. The sentry marched up to them in a very warlike attitude; and then began the conflict of testimony which was usual in the case of all encounters between the police and persons whom they arrested. The sentry declared that the three young gentlemen flourished their sticks; this they denied, stating that they had no sticks, although the chaplain had an umbrella; but they did not deny that the chaplain might have flourished his umbrella. They were arrested and taken to the watch-house; and if they had been ordinary travellers, he did not suppose that the greatest stickler for the doctrine of *Civis Romanus sum* would have thought that there was much cause of complaint; but they were officers of the ship *Forte*, and, as representing the Majesty of England, were entitled to more consideration at the hands of the authorities. The officials, however, said that they did not know that they were officers of that ship; and although the gentlemen said that they repeatedly gave their names and addresses, yet it appeared that they could speak no Portuguese, and the police could understand nothing else. It was true that an interpreter was sent for, but he did not mend matters much, for he was a German, and could speak nothing but German. Mr. Pringle declared that he knew German; but if he spoke with the Hanoverian pronunciation taught in this country, it was probable that he would not be understood by men accustomed only to the vernacular German spoken in Austria. Müller, the interpreter, said that he did not understand the gentlemen; they declared that he did; but in this conflict of evidence probably hon. Members would think that Müller was the best judge. It further appeared that of the whole party the chaplain was the most disorderly and unreasonable. But, be that as it might, none of them could speak Portuguese, nor did they succeed much better with German. The consequence was that they were obliged to have recourse to gesticulations; one of them, a midshipman, who wore a naval waistcoat, pointing in an especial manner to his buttons. Now, he would ask the House whether, if a case of an analogous character had taken place in England, and three foreigners in dirty shooting-jackets were taken up for striking the police, and, having been brought before an inspector began, after jabbering a good deal in a language which no one could understand, to point violently to their stomachs, any great breach of international law would have been committed if the inspector did not well know what they were about? He was, of course, perfectly alive to the value of the *Civis Romanus* doctrine, but he at the same time was altogether opposed to our going to war because the authorities of a foreign country did not comprehend what a midshipman meant by an appeal to his buttons. Such, then, was the case of the *Forte*, one of the most disgraceful transactions by which the diplomatic proceedings of this country had been distinguished. The House would, perhaps, be glad to know what satisfaction Earl Russell under those circumstances demanded. He insisted that the guard should be dismissed the Brazilian service, that an apology should be made by the Government of Brazil for the outrage offered to British officers, and that a public censure should be passed on certain officials. Now, it appeared to him as if Earl Russell adopted a sort of tariff of insolence in his correspondence with foreign Powers. When he had to deal with a first-rate Power, nothing could be softer or more honey-like than the language which he used. Towards America, which was not only a first-rate but also a warlike Power, the tone in which he expressed himself was of that character; but he sometimes happened to be dealing with a nation which, although it stood in the first rank, did not happen to be fond of going to war; and even then, as was illustrated by the case of Captain M'Donald, who had been kept three days by the Prussian authorities in a filthy prison for no sufficient cause, the despatch in which our remonstrance with the Prussian Government was conveyed was of the most mild description, it being merely stated that the treament of Captain M'Donald was not as friendly as it might be towards an English subject. On that occasion we ventured on no reprisals, nor were any Prussian vessels seized by an English admiral. In short, the noble Lord the Secretary for Foreign Affairs pocketed the insult inflicted on a British subject. But then he came to deal with secondary Powers, and the House would not fail to remember the despatch which he had written to the Government of Denmark in the autumn—a document couched in terms which an imperious man might indulge in towards his bailiff, but in which few gentlemen ever addressed each other. Whether the noble Lord intended it as a fitting prelude to the auspicious event which was to take place to-morrow he could not say. But, going a step lower in the scale of foreign Powers, the noble Lord lighted on Brazil, a young country, newly escaped from the throes of revolution, which had established order within her limits with the greatest difficulty and praiseworthy energy, and which had done more than any other State to diminish the atrocious traffic in slaves, while she had cultivated the most friendly relations with England, and had given to us the utmost commercial advantages, and which therefore deserved the utmost consideration at our hands. Yet upon such a country it was that the noble Lord had thought proper to make the demands which he had enforced upon her by seizing her property at sea, because of a trumpery charge which rested on the testimony of a mad Consul and three tipsy sailors. ["Hear!" and "Oh, oh!"] He was aware that, whatever folly or madness an English Government might commit, the appeal to the *Civis Romanus* doctrine was rarely without its effect upon an English audience. He should not on the present occasion attempt to combat its weight, but would remind the House that in these days, when moral influence counted for so much among nations, we should lose that influence if we were thought to cringe to the strong and bully the weak. He was anxious to wipe this stain from our escutcheon. He knew it might not be a popular task, and it might not succeed on a division of the House; but those who thought it a stigma greater than would be entailed by any disaster in arms were bound to importune the House on every occasion, till they had induced their countrymen to look at the matter in a more reasonable light. He, for one, thought the greatest glory of the country would be to treat all Powers weak and strong, with the same justice and the same courtesy, and not to take advantage of accidental strength, which existed to-day and might pass away to-morrow, to commit an outrage upon a friendly Power which she might never forget.

Mr. BUXTON said, that Brazil had singularly strong claims to be treated with the utmost consideration by England. Even were that not so, it surely was one of the first and foremost principles of statesmanship that in our dealings with foreign nations we should not be quick and violent in taking offence, and in avenging provocation by force; but that when disputes arose we should display self-control, and, all the more because of our irresistible power, should treat them with tenderness for their feelings, generosity for their weaknesses, and reverence for their rights. No question of home politics, nor even any question as to which party would be in power, could vie in real moment with the maintenance by England of a gentle and generous policy towards foreign nations. So deeply did he feel this, that before he began to study this question, he resolved that however painful the mortification to himself might be of such a course, he would not shrink from giving his vote against the Government if it proved that

Lord Russell had broken through that great principle. And although he had come decidedly to the conclusion to support the Government, he should not feel easy to do so without discriminating between parts of the affair, and raising his humble voice in protest against the tone by which one portion of our proceedings was marked. It was fortunate that the two cases of the officers of the *Forte* and of the *Prince of Wales* stood quite apart. Into the case of the officers he would not enter; but he wished to make some comments on the other affair. At the outset, he thought the ground might be cleared of the allegations with regard to the murder of some of the crew. There were serious grounds for suspecting that they had been murdered, but of proof there was not a particle; and the blame for the obscurity in which that part of the matter lay rested in fact on Consul Vereker himself. He visited the scene of the wreck, and finding, to use his own phrase, some unwillingness on the part of the authorities to show him where the corpses were buried, he actually pressed them no further, and went away. Had he shown the least force of will, and insisted on seeing the bodies himself, it would have been impossible for them to refuse. However, he (Mr. Buxton) would not dwell on this, because in fact the British Government, though often referring to these suspicions, did not base any demands upon them. He would pass on, therefore, to the question of the plunder of the cargo and of the dead bodies. Lord Russell's demand for compensation was based on the ground that "the Brazilian Government was responsible for the losses occasioned by the culpable proceedings of the authorities;" and this culpability seemed to have consisted mainly in the long delays before the wreckers were prosecuted, and then that after all the justice of the peace of the district had not been even put on his trial on the charge of participating in the crime. Taking the last point first, the hon. Gentleman showed that the main ground for that charge was that two Bibles from the wreck were found in his house. But surely the fact that a gentleman of the neighbourhood should have received two books that had come ashore, and which he made no attempt to conceal from the British Consul, was very slender ground for accusing him of being a wrecker. The Brazilian Government would not, in his opinion, have been justified in putting the principal inhabitant of that district—the justice of the peace—upon his trial on such trifling grounds of accusation. But, after all, the main charge against the Brazilian Government was that of extreme slowness and ill-success in proceeding against the wreckers. With regard to this they must examine what had actually been done. The Brazilian Minister heard of the incident at the end of July. On August 10 he despatched—to use his own words—"most positive and stringent orders to the President of the province for a zealous and careful inquiry." He repeated these orders in October and in December, and on four occasions in the following year. The Imperial Government, then, had not treated the matter with indifference. It seemed that the President of the Province and the chief of police had also given immediate and peremptory orders, and that Consul Vereker himself declared that the delegate of police had acted with prompt energy. The result was that in about four months one man was arrested and two more had fled the country. This might seem a small result to an Englishman accustomed to the lightning speed of the Court of Chancery and of our other courts of justice. The differences, however, were very great: the scene of the wreck was 1,000 miles from the seat of Government; the local authorities complained that they had no force with which to compel the attendance of witnesses, and that from the strong feeling of the people against the inquiry no one would come forward of himself. Ultimately, however, two of the district officials were dismissed, eleven other men were prosecuted, and steps were taken to apprehend those who had fled to Montevideo. These circumstances hardly seemed to justifiy Lord Russell in making such vehement complaints, and basing on them a claim for compensation, and using violence to enforce that claim. It was also to be regretted that Mr. Christie should have written such insulting despatches. Upon the whole, up to this point, he thought that Brazil had scarcely been treated with the forbearance and magnanimity which always ought to mark the foreign policy of England. But at this point a step was taken by Lord Russel which seemed to him (Mr. Buxton) to make the most vital difference in the whole affair. He expressed to Brazil his readiness to entertain "any proposal for arbitration on the questions at issue." That suggestion was one of the highest importance. It had, indeed, been said that in the case of the *Prince of Wales* Lord Russell only offered arbitration as to the amount to be paid, but not as to the principle of the claim. In a previous despatch this was all that was offered; but in the one of November 4 Lord Russell distinctly offered to entertain any proposal for arbitration, without drawing any distinctions whatever. And Mr. Christie, on January 1, expressly wrote to the Brazilian Prime Minister—

> "I declare my readiness to entertain, for the consideration of Her Majesty's Government, any reasonable proposal, as, for example, a reference of all the questions in dispute to arbitration."

This obviously included every part of each dispute. By this offer Lord Russell had, he thought, atoned for all his previous severity. They must bear in mind the immense value of such a precedent. Few were the examples—if, indeed, any could be found—of a powerful nation, which thought itself aggrieved, of its own will offering to refer the whole case in dispute to the judgment of an independent arbiter. If it once became the custom among civilized nations, instead of judging in their own quarrels, and enforcing their claims by violence, to refer them, wherever it was possible, to an impartial bystander, this would be a vast stride towards a reign of peace among the nations of the world. In the protocols of Paris that principle had been expressly laid down and agreed to by all the great Powers, but had hitherto been left in neglect. The precedent, however, now afforded would tend to give that principle practical sway over international policy. Seeing that amid all the irritation which the affair had excited, and in the plenitude of his power, Lord Russell had stayed his hand and offered to let all the questions in dispute be settled by an impartial arbiter, he had set an example of surpassing value to those who wielded the destinies of mankind.

Mr. C. BENTINCK said, it was contrary to the principles of international law, as well as unreasonable, to ask a country, in a case of this kind, to do more than its own laws directed or permitted it to do. It was enough if the country appealed to acted in good faith; and if in this case Brazil had acted *bonâ fide*, we had no right to complain. Each State had its own form of procedure, and a foreigner might, perhaps, object to the English principle of not allowing an accused person to be examined. As to reprisals, it had been justly said that they were not allowable save in the case of *res minimè dubiæ*, and hence they were very rare. There were only two occasions in the recent history of this country when reprisals were enforced. One was against Naples. The noble Lord now at the head of the Government, who was then Foreign Secretary, complained of a gross infraction of a treaty. Upon that allegation ships were seized, and, from an entertaining chapter by M. Guizot, they learnt that the noble Lord was advised by counsel against the course which he had pursued. The French Government interfered in the matter, and the noble Lord was extricated from a disagreeable position in which he had placed himself by his own rashness. The other case was against Greece. Mr. Pacifico's claim was for £21,000; and after reprisals had been made and the matter referred to arbitration he was awarded only £150. When the circumstances were known, it became clear that the noble Lord was wrong. Since, therefore, the noble Lord was wrong in resorting to reprisals in both these cases, he should not be surprised if the same conclusion followed ultimately in the present case. There was very little positive evidence that the Brazilian authorities were at all in fault; the only evidence in fact was that of Mr. Consul Vereker. Mr. Consul Vereker was not a very trustworthy witness, and a great deal of what he said was neither positive nor direct. As to the Bibles, he thought it most unlikely they would have been produced had they been stolen; and as to the empty packing-cases, they were only mentioned after many months had elapsed. In fact, no answer had been given to the statement of his hon. Friend the Member for Lincoln (Mr. Bramley-Moore), that the cargo was of such a nature that the greater portion of it must have inevitably gone to the bottom. The real question was whether the Government of Brazil had acted fairly and *bonâ fide*, and whether they had done all for the owners of the *Prince of Wales* which they would have done had the owners been their own countrymen. The despatches of Lord Russell were inconsistent, the first limiting the amount to be demanded as compensation to the value of the cargo, the last demanding compensation for the cargo and also for the negligence of the Brazilian authorities. He did not know how compensation could be demanded for negligence of authorities, or what part of the sum demanded was for the negligence, or to whom it was to be paid if recovered. As to the failure of justice, there was no evidence that the armed force outnumbered that which accompanied the municipal judge, and it seemed to be unfairly assumed that the municipal judge had the power of a coroner to hold an inquest. A justice of the peace had no such power in this country, and there was no evidence that a similar officer in Brazil possessed it. The noble Lord made an unfortunate reference to Cornwall in his despatch. But, even admitting the analogy, did the House know who was the coroner for the Scilly Islands? It was the hon. Member for Truro (Mr. Augustus Smith) who, not being present, might be holding an inquest. Supposing a foreign ship were wrecked and plundered on the Scilly Islands when that hon. Member was attending, as he did with admirable diligence, to his duties in Parliament, would it be a *casus belli* or a case for reprisals by a foreign Power because the hon. Member or his deputy did not hold an inquest? Another very important matter to be considered was that in this country it was the custom in the case of wrecks for the coroner to hold an inquest upon only one body, if there were no *primâ facie* evidence to show it to be desirable that more inquests should be held. He thought the less said about the wreck the better, seeing that the Brazilian Government guarded themselves over and over again by saying (and Consul Vereker confirmed them) that there was no political authority nearer than Rio Grande —a distance of eighty miles. They all knew that there had been frequently wrecks in this country, and no one had ever heard of a single instance of a demand being made against the Government or of reprisals being endeavoured to be enforced. As the noble Lord the Member for Stamford (Lord Robert Cecil) had alluded to cases of violent despatches, written against weak and second-rate Powers, he would refer to the case of Mr. Watson Taylor, which he brought under the attention of the House last year. There was a close analogy between that case and the present. There was a denial of justice, and a plunder of property. Mr. Taylor was to inhabit an island under the protection of the Italian Government, and the Government, in breach of faith, withdrew that protection. The most trumpery and ridiculous charges were made against Mr. Taylor, who was cited to appear before a distant tribunal; and when he consulted our diplomatic agent, he was advised to absent himself. The Turin Government refused to stop the prosecution, and, instead of urging the claims of his countryman, Sir James Hudson wrote home to the Government that it was not possible to stop the prosecution, and Mr. Taylor was convicted. Upon the allegation that there was no power to stop the prosecution, backed by the opinion of a Turin advocate, the Government here determined that Mr. Taylor had no claim for relief. When he brought the case under the attention of the House there were no bounds to the indignation of the Treasury bench. It was said to be unjust and ungenerous to dispute the high authority and solemn verdict of Sir James Hudson; and the Solicitor General, one of the greatest ornaments of the profession to which he also had the honour to belong, gravely argued the untenable proposition that the Piedmontese Government had no power to stop a public prosecution. The eloquence of the Solicitor General had scarcely ceased to flow, when there occurred the outbreak at Sarnico; many persons were arrested, imprisoned, and prosecuted, when all of a sudden the prosecution was dismissed and the whole of the prisoners were set at liberty, with the exception of one Garibaldian colonel, who was committed for trial on a charge of burglary. Nor was that all. The same farce was played over again after the action of Aspromonte, when Garibaldi and his friends were set at liberty under an amnesty. It was plain that the Italian Government had the same power to stop the prosecution against Mr. Taylor, and what he wanted to know was, why Her Majesty's Government did not insist upon the withdrawal of the charge in that case? Why was undue favour to be shown to the Italian Government? Brazil had at least as many claims upon England as Italy. She had never humiliated us, she had always fulfilled her obligations, and her credit was better than that of Italy, for while the Brazilian Five per Cents were at par, at the present moment the Italian Five per Cents were only at 70. Could it be that the noble Lord at the head of the Government was still resting on the popularity of what he called his Italian policy? He hoped the Chancellor of the Exchequer had not changed his opinions upon these questions of reprisals. The right hon. Gentleman sat on the same bench with the noble Lord whose Pacifico policy he attacked with so much success; but he trusted the right hon. Gentleman still thought, as he thought then, that there should not be one rule for the weak, and another for the strong, and that we ought not to enforce against a small Power like Brazil, a claim which we ourselves would not concede to any other nation in existence.

Mr. SEYMOUR FITZGERALD said, surely the Government would not allow such a case as this—a case involving the honour and justice of England—to pass without a single word of explanation or remark from the Treasury Bench. He had not intended to address the House until he had heard the views of the Government; but as no Member of the Government had risen, he now felt called upon to offer a few observations. He could not help saying that he had never listened to a more able and astute, and yet, at the same time, a more unfair or more untenable speech than that of the hon. and learned Member for Plymouth (Mr. Collier). In this Brazilian case the position of our Government was a very curious one, because they had founded their claim to compensation on the ground of the neglect of the Brazilian authorities to render them justice. He would first deal with the question of delay, and here it was necessary that we should consider the peculiar circumstances of Brazil. Brazil had been established only about forty years. During that period, by the ability of those at the head of affairs, and by the entire good faith always shown by the Brazilian Government, they had succeeded in converting that which was only a province of one of the smallest kingdoms in Europe into a flourishing empire, with a credit, a reputation, and a power which those who contemplated their prospects forty years ago would have deemed impossible. Moreover, the Brazilian Government had been obliged to attempt to establish civilized rule,. order, municipal institutions, judicial tribunals, and commercial relations over a coast exceeding those of Spain, France, and England together. Hence, it was not fair to institute a comparison between the circumstances of a country such as Brazil, and those of a country like England or France, which had for centuries enjoyed a regular and established Government, such as Brazil was only endeavouring to attain to. He could not admit, with the noble Lord the Member for Stamford (Lord Robert Cecil), that there had been something in the nature of neglect on the part of the local authorities in Brazil which might fairly be made a subject of complaint by Her Majesty's Government. The wreck took place on the 8th or 9th of June, at a spot seventy-eight miles distant from Rio Grande do Sul. It appeared that the district between the two places was a very difficult one, that to traverse it required a fatiguing journey of more than two days, notwithstanding Mr. Vereker's enthusiasm and zeal, which induced him to ride until late at night; and he arrived so exhausted that he and those with him could not go four miles further. The wreck was reported by the sub-delegate of police, who lived twenty-four miles further from Rio than the scene of the wreck, on the 12th, and our Consul started from Rio Grande on the 13th, arrived in the district on the 15th, and reached the wreck on the 16th. He immediately returned to Rio Grande, where he arrived on the 18th, after a journey of two days. Immediately the delegate sent his orders to the police in a letter, dated the 19th. The delegate also referred the Consul to the municipal judge, as the proper authority to institute inquiries. This he did on the 22nd. The papers were received in England on the 2nd of September, and on the 5th of the same month what was the course pursued by our Foreign Office? With nothing before them but the *ex parte* statements of Mr. Consul Vereker—with the proceedings of the Brazilian Government before them—with, as it appeared to him, not one single hour lost on the part of the Brazilian authorities, the hon. Gentleman the Under Secretary of State wrote thus to Mr. Vereker, on the 5th of September—

> "It is evident from your despatches that there has been gross negligence, if not misconduct, on the part of the Brazilian local authorities, and that there is even reason to suspect that the plunder of the cargo and of the effects of the passengers, and even the murder of some of the survivors from the wreck, have been the result of that negligence. Lord Russell has instructed Her Majesty's Chargé d'Affaires at Rio, to whom you will doubtless have forwarded copies of your despatches on this subject, to lose no time in calling the attention of the Brazilian Government to this case, and to request that a searching inquiry may be instituted, with a view to the punishment of the parties convicted of negligence, or of being concerned in the plunder of the vessel, and that those who may be convicted of outrages upon those who survived the wreck may be brought to justice."

Now, proceeding step by step in this matter, he would first ask the House, whether, bearing in mind the facts he had stated, there was any ground whatever for this allegation by our Government that there had been gross negligence on the part of the local authorities of Brazil as far as establishing a judicial investigation was concerned? Without charging his hon. Friend the Under Secretary with anything like negligence, it was nevertheless true that greater delay took place in writing his own letter, just quoted, on this important case, than had occurred on the part of any single one of the Brazilian authorities. Up to that time there was nothing on earth to justify that accusation of negligence, and yet at that date Her Majesty's Government adopted this arbitrary and offensive tone towards a Government which had the greatest claims upon their friendship and consideration.

He would, before proceeding, say a word as to the conduct of the Government in relation to Brazil. There was no country on the face of the globe that ought to be treated with so much friendly consideration as the empire of Brazil. From the very first moment after the Brazilian Government was established, it had manifested a desire to conciliate English good feeling, to protect English commerce, to promote the introduction of English capital, and had exerted itself in every possible form to make its good intentions well understood by the people of this country. Therefore Brazil was the State towards which, of all others, the British Government ought to have exercised all due forbearance. But he was bound to say that for many years past the very reverse of that had been the fact, and that the very case now under consideration was only one of a long series of indignities which had been offered to the Brazilian Government by the Government of England; and that principally during the time when the noble Lord (Viscount Palmerston) had had the greatest influence over our foreign affairs. He would not now speak of an outrage greater than was ever committed against international law, and in respect to which, when their acts were called in question, the English Government was afraid to justify them before an independent tribunal; but even within a recent period Her Majesty's Government had acted towards the Brazilian Government in a manner which they would not have dared to follow towards any other Government on the face of the globe. He alluded to their conduct in regard to the Mixed Commission at Rio. We established a few cases against the Brazilian Government before the Mixed Commission; and when that Government succeeded, by the unanimous decision of the Commissioners on both sides, in establishing some few cases against us, Her Majesty's Government stopped all further proceedings, tore up the convention, and refused to have anything more to do with it. The present case, therefore, was only another exemplification of the arbitrary spirit in which the British Government had dealt with the Brazilian Government for years past.

But to return to the facts of this question. Her Majesty's Government some time afterwards changed their ground. And when they spoke of the delay of the Brazilian Government, he would venture to notice the extraordinary delay on their part in presenting their view of the case to the Court of Brazil. The wreck occurred on the 8th of June; the various proceedings were instituted; and it was not till the 8th of February following that Lord Russell made the slightest allusion to any question of compensation. Up to that period our Government had confined their complaint to an allegation of the want of due diligence shown by the Brazilian authorities, and to a demand for an investigation, with a view to the punishment of the guilty persons. But on the 8th of February Lord Russell wrote to Mr. Baillie, insisting, in addition to these things, upon adequate compensation to the owners of the vessel. Thus, out of the whole fourteen months' delay, eight months were due to the delay of Her Majesty's Government in putting forth their claim, which claim they put forth in the most arbitrary manner, and which he would show was dealt with in the most energetic and straightforward spirit by the authorities at Rio, before whom it was then for the first time placed. That letter of the 8th of February was not presented to the Court of Brazil till the 17th of March. On that day Mr. Christie wrote to the Brazilian Minister, claiming compensation in the terms of Earl Russell's despatch. Taking a fortnight to consider a demand put forward by the British Government, and which that Government was going to enforce with all the power at its command, the Brazilian Government replied that no Government was responsible for outrages committed without its concurrence or instigation by its subjects upon foreigners, and that in such case it was only bound to use every available means for preventing and punishing them. The learned Solicitor General would scarcely deny that that was an accurate statement of international law. It was not till very nearly the end of May that the real issue was ascertained between the Brazilian and English Governments, and as soon as it was ascertained it was at once met by the Brazilian Government with a clear declaration that they were then willing and had long been anxious to fulfil the obligations imposed upon them by international law. It was worth while considering on what grounds compensation could be claimed. Clearly no claim for compensation could be put forward by the English Government upon the ground that the local authorities had been remiss in setting on foot and prosecuting a judicial investigation. That might be a question for diplomatic communication between the two Governments; and if those communications were not successful, it might be a ground for coolness between them, for the suspension of diplomatic relations, or even for ulterior measures; but it was no ground for a demand for compensation. The only ground for that must be that the authorities on the Brazilian coast were not there to protect the parties, or that they were responsible almost as insurers for the safety of property which the wind and the waves might wash on their shores. The hon. and learned Gentleman would scarcely assert that. The hon. and learned Gentleman might say that the Brazilian Government was liable for the negligence of their officers in not protecting property; but it could not lie in the mouth of the Government to make such an assertion. For from the beginning to the end of the correspondence, they had never taken that ground. The only ground they had taken was that the Brazilian Government had been remiss in prosecuting the offenders after the wreck had been plundered; or, as the hon. and learned Member for Plymouth (Mr. Collier) had asserted on his own authority, after the British subjects had been murdered. For that assertion, however, there was not the slightest justification in the papers. The British Government claimed £3,200 from the Brazilian Government because British subjects had been injured by their negligence to that amount; but there was nothing whatever in the papers to show the slightest negligence on the part of the Brazilian Government contributing to that injury. The only thing was this, that there had been some slight negligence in communicating the facts from one officer to another; but that did not contribute in the slightest degree to the plunder of the wreck, for which compensation was claimed. The hon. and learned Member for Plymouth had asserted many things in a manner which might lead persons who had not read the papers to think that they really were positive facts which had happened, and which were stated in the papers; but the truth was, that he had asserted as facts circumstances which were nothing more than inferences drawn by himself. For instance, the hon. and learned Gentleman positively asserted that Senhor Soares was concerned in the plunder of the wreck, and he treated him as one of the parties implicated in the outrages which occurred at Albardao. The fact was that the only evidence against Senhor Soares was, that two Bibles were found in his house long after, and something was said about one or two cases being seen in his yard. But from one end of the papers to the other it was never shown that Senhor Soares was even there at the time. The only evidence was that three days after he was at a place seventy miles off, and he mentioned there—not as a thing he had himself seen at all—that some bodies had been washed ashore near his house. When he was asked about the wreck, he said he knew nothing of it. From this fact the hon. and learned Gentleman asserted as a thing that was certain, that Senhor Soares was there at the time of the wreck, and that he knew of it; and he almost went the length of saying that he must have been present at the rifling of the trunks, and must have taken the Bibles which were afterwards found in his house. He took not the slightest notice of the statement in the papers that the articles found in Soares' house had been taken there by some of his servants, who might have been present at the wreck, and who, having picked them up, carried them home without him having the slightest knowledge of it. The hon. and learned Member led the House to believe that the Brazilian Government, knowing Soares' guilt, had done all they could to protect him, and had refused to dismiss him from his post. What the Brazilian Government had done was simply what the Home Secretary or any other English Minister would do. They had not taken the allegations of officials like Consul Vereker; they had not taken rumours and reports; but they had instituted a judicial investigation; and the Marquis D'Abrantes, when asked to put Soares on his trial, said, "I cannot do it, because we have had an investigation which has satisfied us that there is no ground for a prosecution, and we refuse to do what the laws of Brazil will not allow us." That is an instance of the manner in which the hon. and learned Gentleman has misled Gentlemen who have not read the evidence through. Again, the hon. and learned Member said it was the duty of the Brazilian officials who were on the spot to institute an inquest immediately on the bodies; but was he aware of what the law of Brazil was on this point? Was he able to state that the Brazilian law prescribed, that whenever a wreck occurred on the coast, any and every authority who happened to be on the spot should institute an inquiry? Suppose a wreck were to happen on the coast of Cornwall, would it be the duty of all the magistrates resident on the spot to institute an inquiry? The hon. and learned Member had never shown, nor was there the slightest proof in the papers, that the two magistrates referred to had in the slightest degree transgressed their duty, or that they neglected to do anything which the Brazilian law prescribed. In the same manner he said it was Senhor Soares' duty to send a message seventy-eight miles to get an inquest held. Speaking from his own feelings as a magistrate—whatever he might do in his private capacity from the promptings of humanity—in his magisterial functions he should hesitate some time before he expressed seventy-eight miles to apprise the coroner of any wreck which might happen in his neighbourhood. He contended that in this case the communication was made as speedily as it could be made, that as soon as the authorities could be called on to act they did act, and beyond that there was nothing in the papers to show that there was negligence.

The next point to be considered was the conduct of the authorities at Rio Janeiro: and here, so far from taking the view of the hon. and learned Gentleman, he thought that the conduct of the Brazilian Government, under circumstances almost approaching to intentional provocation, had been considerate and dignified. His hon. and learned Friend said that nothing could be more reasonable than the proposition made by Her Majesty's Ministers, and that the Brazilian Government showed their *mala fides* by refusing it. Now, that was not the position of the Brazilian Government. To show that it was not, he would refer the House to the following, which were the concluding passages in the despatch of the noble Earl at the head of the Foreign Office, dated October 8:—

> "But the time is come when Her Majesty's Government must ask compensation for the plundering of the wreck and of the bodies, and they must look for this compensation to the Brazilian Government, as being responsible for the losses occasioned by the culpable proceedings of their authorities, whose guilt they have at length discovered and admitted. I have therefore to instruct you to demand from the Brazilian Government compensation for the losses that have been occasioned to the owner of the *Prince of Wales* by the wholesale plunder of the wreck and crew. Mr. Stephens claims for cargo and stores, £5,500; for freight, £1,025 19*s.*; in all, £6,525 19*s.* But this claim is not at present sustained by any sufficient evidence; and it would be incumbent on Mr. Stephens to produce a properly certified estimate of the value of the cargo and stores; and if any demand is to be made for personal property belonging to any passenger on board, proper evidence on this point must be adduced. But on the Brazilian Government admitting the principle, Her Majesty's Government are prepared to accept a fair arbitration on the question as to the actual amount of compensation to be made, and they will leave the same arbiter or arbiters to determine the amount of the compensation to be made to relatives of the people on board whose bodies were stripped and plundered. At the same time Her Majesty's Government, having regard to the extraordinary delay and procrastination of the Brazilian authorities in the investigation of this grave matter, must insist that any such arbitration shall be set on foot without loss of time, and shall be conducted with all possible speed to an issue."

That despatch sought to make the Brazilian Government responsible for violence committed by persons over whom it had no control. He did not use the term in an offensive sense when he said that a more untruthful statement of a case than that contained in the passage he had quoted could not be made. He meant that the statement was utterly inaccurate. Then the offered arbitration was made on these terms—

> "But on the Brazilian Government admitting the principle, Her Majesty's Government are prepared to accept a fair arbitration on the question as to actual amount;" and so on.

That was not the kind of offer stated by his hon. and learned Friend.

MR. COLLIER wished to explain that what he had said was, the British Government had offered to refer the amount to arbitration, the principle being admitted.

Mr. SEYMOUR FITZGERALD was glad of the correction. What he had to deal with now was not the arguments of his hon. and learned Friend, but the position of Her Majesty's Government. It was utterly impossible for the Brazilian Government to assent to such a species of arbitration as that. It did not make any difference whether they might have to pay 3,200 pence or 3,200 pounds. The question was whether they were responsible for losses by winds or waves, or by the violence of subjects of their own over whose proceedings they had no control, but whom they had done their best to prosecute, and whom they had pursued with all the energy in their power. It was quite impossible they could admit a principle which was entirely new in international law. The question really was, whether the Brazilian Government had done their best to pursue the guilty parties—had used all the means in their power to secure the administration of justice. They might judge of that from results. Two of their officials had been dismissed, and up to the present time eleven persons had been prosecuted and convicted. It was perfectly true that some of the parties concerned in those occurrences had escaped over the boundary before the authorities had been able to apprehend them; but there was a law in Brazil under which persons who were summoned and did not appear might be adjudged contumacious, and though such persons could not be put in prison, they would never dare to return to the country from which they had escaped. The Government of the country had done their best to enforce the law against those who had escaped for the moment. He thought, therefore, that he had now shown that neither as regarded the local authorities or the Central Government at Rio Janeiro was there the slightest ground for saying that there had been that failure of justice on which alone, according to international law, any claim for compensation could be grounded. His noble Friend (Lord R. Cecil) had pointed to another grave objection to the course taken by Her Majesty's Government. It was laid down, not only in one book, but in all the books to which he had been able to refer, that reprisals were not to be taken except where there was the clearest case of a failure of justice. His hon. and learned Friend (the Solicitor General, would say that such was the case in this instance; but he begged to submit that where there was a conflict of testimony, where many of the circumstances had not yet been ascertained, and where, at most, the ground of action was not a denial of justice in any way, but a certain omission or neglect of duty—for that was the furthest Her Majesty's Government could go—there was no ground for reprisals according to the best authorities on international law.

A good deal had been said regarding the relative positions of Brazil and this country; and he must confess that, as an Englishman, he did feel is was a painful thing that year after year cases should be brought under the notice of the public, showing that, without exception, the rights of British subjects were enforced in an arbitrary manner where the Powers against whom those proceedings were taken were weak, and that almost at the same moment there occurred the most flagrant instances of British interests being neglected and trampled upon where the guilty parties were subjects or officials of a strong Power. What was at present going on between this country and the Federal States of America? Within the last few months there had occurred a case of a British vessel peacefully navigating the waters between Matamoras and the Havannah; she was chased by a Federal cruiser, and took refuge in Spanish waters, into which she was followed by the cruiser, chased ashore, and burnt. Had we heard of any reprisals in the case of that transaction. Take the case of the *Adèle*. She was carring the British Mails between one port and another; she was seized by a Federal cruiser and carried into Key West, where the seals of the mail bags were broken. Had reprisals been ordered for that transaction? There was a third case, that of the *Pearl*, which had some bales of cloth on board. She was on her voyage from a neutral to a British port, when she was seized and carried into a Federal port to await a trial. We had not heard of any reprisals there. In those cases we were told that Her Majesty's Government could not interfere with the judicial authorities of the United States—that they must abide the decision of those authorities. The reason might be a very good one for not interfering; but when the Government paid that deference to the judicial authority of one Government, why did they refuse to pay it to that of another? They could not draw a distinction between the courts of the Federal States of America and those of Brazil. The Government were not entitled to more than this in the case of the Brazilian or any other authorities—that as far as courts had been established, as far as judicial proceedings had been taken, they should be impartial—that the courts of the country should proceed according to its laws. A great deal had been said about the position of the Brazilian Government, and the utter want of power they had shown in obtaining evidence against the guilty parties. That was a very uncertain and dangerous argument to use, and depended for its applicability upon the feeling of the people in the particular district where the crime occurred, and upon many other circumstances, which rendered it impossible to say that, because a Government found it difficult to obtain evidence, they therefore had shown no eagerness in bringing the offender to justice. What had happened within a very short time in Ireland? A French gentleman was murdered in Tipperary. Why did the prosecution fail against his supposed murderer? Because the attendance of witnesses could not be enforced, though some persons had absolutely been present at the moment the murder was committed. His hon. and learned Friend said it was another mark of the impotence of the Brazilian Government that they could not arrest the defendants, and therefore were responsible for these outrages. Now, suppose that Hayes, instead of murdering an Irish landlord, had murdered a French or German gentleman. Would a foreign Government believe that the English authorities had used every means in their power to arrest that man, backed as they were by a force of constabulary more like an army than a body of police, and scouring the whole country far and wide? It would probably be difficult in such a case to convince a foreigner that the British Government were earnest and zealous; and yet they all knew that the Government exerted every effort in vain to arrest this criminal. Under these circumstances, it was not for us, looking at the particular circumstances of Brazil, and at the difficulties with which a Government had to contend in a country so extensive, to institute comparisons between such a nation and the more civilized countries of Europe as to the administration of justice and the safety of life and property.

Apart, however, from the merits of the case, he could not disguise his feelings of regret and almost of humiliation at the tone and temper in which these despatches were written. Take even the last two letters. The Brazilian Government announced their intention of submitting to force, and said they would pay the money; but their Minister in London was instructed to protest against the violence put upon his Government. Accordingly, in energetic language, the Brazilian Minister protested. What was the language which the Foreign Minister of England addressed to a Government with whom for the future he himself said he was anxious to cultivate the most friendly relations? Why, he told them that they had been guilty of equivocation, of subterfuges, and of mean delay. If language like this were used by the Foreign Minister of this country, though we might be on what might be called friendly terms with other Powers, we should never have friends. Nor was this the only case. The same thing had happened with regard to France. In the most sarcastic letter that was ever written, Earl Russell as much as told the French Government that they connived at assassination and plunder in Southern Italy; and M. Drouyn de Lhuys, in his letter to the Duc de Montebello, expressly pointed out that the English Minister accused the Imperial Government of connivance at the horrors resulting from the brigandage there. His noble Friend (Lord Robert Cecil) had referred to the noble Earl's despatch to the Danish Government; and with the Russian Government the same irritating communication had been going on. Now, he thought that, quite apart from the question of right in this case, the expressions so employed by the noble Earl would not add in the slightest degree to his influence as a Minister, and would not add in any way to the dignity of the country which he represented.

Mr. LAYARD said, that after the very able speech of the hon. and learned Member for Plymouth (Mr. Collier) he should be intruding upon the House if he went over the ground which that hon. and learned Gentleman had so well trodden. He should endeavour to confine himself to the diplomatic action of the Government in the case of the *Prince of Wales*, and should seek to show that that action had been neither hasty nor unjust. Before proceeding to that part of the Question he must recall the attention of the House to a few facts which had either been forgotten or misstated by those who had followed his hon. and learned Friend. It would be remembered that the wreck of the *Prince of Wales* was believed to have taken place, not as the hon. Gentleman who last spoke had said, about the 8th or 9th, but between the 7th and 8th, upon the occasion of a gale which raged upon the coast. It was not until some days afterwards that any notice of the fact was brought to the knowledge of the English Consul at Rio Grande do Sul, Mr. Vereker, and it came to him then by mere chance. It was not, as had been stated, reported to him, but the fact of the bodies having been washed on shore, was casually mentioned by Senhor Soares, and on the following day the wreck itself was known in the house of the delegate, but the fact came to Mr. Vereker as a mere rumour. One thing was undeniable, that it was the duty of the authorities to give the earliest information of a wreck to the Consul of the country to which the owners of the vessel belonged. No such step was taken in this case. It might be asked, was there any proof that the vessel belonged to British owners? There was such proof, because a portion of the vessel's papers, which proved the fact, were actually found in the possession of the delegate. No notice was given, as it should have been; but when information did reach Mr. Vereker, he applied to the municipal judge, who accompanied him to Albardao. That officer behaved well, and went with the Consul to the coast—the distance not being so very great, for the bodies were afterwards brought to Rio Grande do Sul in two days. Mr. Vereker and the municipal judge proceeded to the house of Senhor Soares, a man of large fortune, upon whose land the wreck took place, and the bodies were found. It was believed in the country, although he could not say with what amount of accuracy, that Senhor Soares owed his wealth in a great measure to sharing in the plunder of wrecks upon the coast. [" Oh!" and "Hear!"] Well, hon. Gentlemen might know Senhor Soares better than he did, but he could only repeat what had been told him by those best acquainted with that country. In the house of Senhor Soares were found, not one Bible but two Bibles and a Commentary; and besides there were certain cases which had contained English goods. Senhor Soares, as the noble Lord (Lord Robert Cecil) had suggested, might have had a desire to collect English Bibles, but a desire to collect cases of English goods was not so laudable. Senhor Soares had absented himself from the place. The hon. Gentleman opposite (Mr. Seymour Fitz-Gerald) said he had only gone to Rio Grande do Sul; but the fact was, that although he had passed through Rio Grande, he had gone to a distant place called Pelotas. Upon the morning after his arrival at Albardao, Mr. Vereker went to the coast, and endeavoured to find some traces of the crew and to take a list of the property saved. He found the cargo scattered over the shore, boxes recently broken open, and the very significant fact which had been stated by his hon. and learned Friend, and which must be regarded as conclusive by those who viewed the facts in a calm and impartial spirit—two of the vessels' boats with their oars. Again, some miles to the northward another boat was found on the coast, uninjured, which was a further strong proof of the crew having landed. Now, although ten bodies only were mentioned, there were fourteen or fifteen persons on board to be accounted for. Mr. Vereker heard that bodies had been washed ashore, and he understood from something he overheard that those bodies were in the neighbourhood, and he asked to see them. Why was he not allowed to see the bodies? It was never denied that the bodies were there, and four of them were afterwards brought to Rio Grande; but why did not the municipal judge do his duty and insist upon seeing them then? The hon. Gentleman said that in this country it was the duty of a coroner to examine bodies of persons found dead. In Brazil, however, there appears to be no such officer. Mr. Vereker, who was acquainted with the laws of the country, said, that it was the duty of the municipal judge to make the examination, and of the delegate, when he heard of the wreck, to visit the spot, to take a catalogue of the cargo cast on shore, to secure what papers he could find, and to furnish all the evidence he could procure concerning the wreck to the Consul. This officer failed in his duty; in fact, all the constituted authorities had failed in their duties; and he contended that the Brazilian Government, by dismissing two of those officers, although afterwards explaining away the reasons for such dismissal, had admitted them to be culpable. Until the 22nd no inquest was held, and then an inquiry was held at Albardao upon four of the bodies, and two days later at Rio Grande upon the same bodies. There was a remarkable fact connected with that examination which to his mind carried great weight; the secretary and witnesses who signed the report as having been present at the examination, were not present; and Mr. Vereker signed the report under protest that he did so merely "as having been present," and not as admitting the truth of the report. The next step would naturally have been to have given Mr. Vereker a copy of the report; but although he applied for it over and over again, it was not until the year following — twelve months after the event—that he succeeded in obtaining a copy. No one, who calmly read Admiral Warren's able summary of the evidence furnished to him by Mr. Vereker, and by the report of Captain Saumarez, could avoid the moral conviction that the men had been murdered. If they had not been murdered, why were not the other bodies produced? Where had they been buried? Some vague excuses were made about the drifting of the sand and the erasure of all traces; but how was it that three of the bodies were found unburied a considerable distance from the shore? He thought that no impartial mind could resist the conviction that the crew had been murdered. He must say that Consul Vereker had been dealt with most unfairly in this debate. He regretted to hear what fell from the noble Lord the member for Stamford in reference to that honourable public servant, who had done everything in his power to discharge his duty, and who, in consequence of his great exertions and exposure, several months afterwards suffered severe illness, which for a time led to a nervous excitement. And after what had been stated by the hon. Gentleman (Mr. Bramley-Moore) as to the lives of British merchants being placed in jeopardy in the city of Rio itself, it was not wonderful that he should have been under considerable apprehensions.

Then as to the action of the Government—what did they do on receiving a report of what had occurred? He was much surprised to hear the hon. Gentleman who spoke last (Mr. S. FitzGerald) say that those who taunted the Brazilian Government with negligence had themselves been guilty of it. But what did the British Government do? They wrote at once to Mr. Baillie, our Chargé d'Affaires, and expressed their conviction that the Brazilian Government would of themselves institute a proper inquiry. Nobody had been arrested but some miserable Indian, who was not even a Brazilian subject. The hon. Gentleman said compensation was not demanded till the 8th of February. If it had been asked for at an earlier period, the Government would have justly exposed themselves to the taunts of the hon. Gentleman. They did not demand compensation till they had given the Brazilian Government an ample opportunity of doing justice. The hon. Gentleman was not particularly happy in his speech. He said we did not understand how justice was administered in Brazil any more than Brazilians knew how justice was administered in this country. Then he alluded to the escape of the murderer Hayes in Ireland, and asked whether foreigners would believe that there was a due administration of justice when they were told that the whole country had been scoured, and that the criminal had nevertheless escaped. But the case of the Brazilian Government was very different. Had they done all they could to arrest the guilty parties? If they had scoured the country after Soares, and if the Government had been convinced that a fair investigation and trial had taken place, he did not believe they would have insisted on the reparation they now thought it their duty to ask for. Why did not the Brazilian Government send a vessel of war to the coast of Albardao, which the hon. Member for Lincoln (Mr. Bramley-Moore) stated was so wild, and an exception to every other part of Brazil? One of two things were to be expected—either that the Brazilian Government would assert their authority, or if they were unable to protect foreigners whose vessels had been wrecked on their coast, the British Government must protect their own subjects. What was the use of our fleet and our consuls if not to protect British subjects and property, in such a case as this? The action of Her Majesty's Government had been strictly within diplomatic usage. The Brazilian Government stated that eleven persons had been condemned and punished; but it turned out that such was not the case, and that proceedings only had been instituted against them. We had therefore had a right to demand compensation for the loss sustained. His hon. Friend had endeavoured to prove that we demanded compensation for the murder of this crew. Now, we might have been morally convinced that murder did take place, but we carefully avoided mixing up that with the demand for compensation. The hon.

Gentleman had adverted to M. Moreira's notes. M. Moreira assumed somewhat offensively, after a distinct disclaimer on our part, that the British Government had demanded compensation for the vessel and freight. We did no such thing. Compensation was demanded for the cargo which had been plundered, and the property of the persons whose bodies had been washed ashore, founded on the negligence of the Brazilian authorities in instituting proper inquiries, and administering justice according to their own laws. It was contended that there was no proof of any property belonging to the crew having come on shore. How was it that the persons on the coast spoke of the body of the captain ; and how could they have identified his body without some distinguishing dress? It was said we had left no opening for arbitration ; but if hon. Gentlemen would turn to page 99 of the printed papers, they would find from Earl Russell's despatch to Mr. Christie that an opening for that arbitration was distinctly left ; and again, on the 4th of November, it was stated that Her Majesty's Government were very reluctant to proceed to extremes, except as a last resource, and to the offer of arbitration no condition whatever was then attached. Mr. Christie, in his despatch, spoke of arbitration as an amicable solution of the question. It was not for the party who demanded redress, but for the party of whom it was asked to offer arbitration ; and Mr. Christie was authorized to accept the offer.

Now, as to the question of reprisals, he would leave it to be dealt with by those who were more competent than he was to deal with legal points; but he might call the attention of the hon. Member for Horsham (Mr. Seymour FitzGerald), to the action of the Government of which he had been a Member on a question of reprisals. There was a case in which his hon. Friend had more than once justly claimed some credit—the case of the *Cagliari*, which was seized by the Neapolitan Government. Lord Malmesbury gave that Government ten days' notice within which he required they should give up the British engineers, with an intimation that if the Neapolitan Government still persisted in refusing reparation, the British Government would be entitled to have recourse to reprisals. If hon. Members would refer to *Hansard*, they would find that Lord George Bentinck in 1847 brought forward a Motion in which he pressed on the noble Lord now at the head of the Government, that unless the claims of the Spanish bondholders were paid, the British Government should have recourse to reprisals; and his noble Friend on that occasion made an admirable speech, in which he showed that the doctrine of reprisals was not applicable to the circumstances. It was said the action taken by the present Government was an unheard-of proceeding; he hoped to show that there were good precedents for what they had done.

The noble Lord the Member for Stamford (Lord Robert Cecil) asked somewhat querulously why nothing was said about the case of the officers of the *Forte*. The hon. Member for Lincoln, who brought forward this Motion with good taste and good feeling, which he should have been glad if the noble Lord the Member for Stamford had imitated, omitted all reference to this question, because it had been submitted to the arbitration of the King of the Belgians. Her Majesty's Government had entire reliance on the wisdom and justice of that monarch, and therefore it would ill become him to say a word upon a question which was still under consideration. But anything more unfair than the statement made by the noble Lord he had never heard. The noble Lord, of course, might put the honour and veracity of English officers and an English clergyman as low as he thought proper ; but for him only to state a fragment of their case, and to conceal the whole of that part of it on which the British Government had taken action, was unfair alike to those officers, to the Government, and to the House. It was not for their arrest at the guard-house that reparation had been demanded. They might have been arrested under a misapprehension. The Government did not assume that English gentlemen necessarily got drunk after dinner ; and when three English gentlemen solemnly declared that they did not get drunk, and did not assault the guard, they took their evidence in preference to the swearing of an hotel-keeper and a common soldier. But why did the English Government demand redress ? Because these English officers, after their rank had been known, were confined in a common prison, marched, as if they had been manacled felons, through the town, refused a conveyance, and detained as prisoners for two days. It was for these indignities, and not for the arrest, which might have been a mistake, that the British Government demanded reparation. The policy of Her Majesty's

Government had been very much condemned by Gentlemen on the other side, but he had not heard from them any alternative. Was there any proof of undue haste and undue pressure upon the Brazilian Government? Eighteen months had been given to the Government of Brazil. Suppose Her Majesty's Government had not adopted the course which was taken; suppose they had not answered those energetic letters of Mr. Stephens, who, like a thorough Briton, believed it was only the duty of the Government to look after his property—what would that Gentleman have done? He would certainly have gone to his hon. Friend opposite, and his hon. Friend—assuming that tone of solemn reproof which he could put on so well when occasion required—would as certainly have charged the Government with apathy, have dwelt upon the facts of British subjects murdered, and British property plundered, and held that the Government which suffered such wrongs deserved the reprobation of the House and the country. It had been said that there was much British property in Brazil, in banks, mines, railways, and public works. But his experience of foreign affairs had satisfied him that it was exceedingly easy to get British capital into the South American States, but it was exceedingly difficult to get it out again. His hon. Friend's acquaintance with the Foreign Office would doubtless enable him to corroborate the statement that the most troublesome business of that Department arose from claims of British subjects upon the Governments of the Southern States of America. [Mr. SEYMOUR FITZGERALD: Not Brazil.] Hon. Gentlemen were always coming to the Foreign Office and asking how the claims of their clients were progressing, and all the reply the Department were able to give was, "We have written again;" "We have given instructions;" and that sort of thing went on year after year. And what description of claims were those so constantly urged? Denial of justice. Seizure of British property. Repudiation of debts to British subjects. Outrages on the person, and infraction of treaties. [Mr. SEYMOUR FITZGERALD: Not in Brazil.] He was sorry to differ from his hon. Friend, but he would point out two or three matters, even as regarded Brazil, which led him to form the opinion he had expressed. We had unsatisfied claims upon Brazil amounting nearly to the sum of £350,000. His hon. Friend just now said that the present Government had broken up the Commission that was to inquire into those claims; but his hon. Friend must have certainly known the true history of that transaction. The Brazilian Government brought forward claims before that Commission which had already been settled by Courts competent to deal with them. The Brazilian Government were well aware that the British Government had stated their determination not to allow the discussion of these claims to be reopened, as they were considered to have been finally disposed of. As the Brazilian Government nevertheless persisted in bringing these claims again forward, the British Government had no other alternative but to break up the Commission. The English Government would have been well pleased to have settled the vast amount of claims, many of which had been hanging over for the last forty years. What happened only four or five years ago, and still formed the subject of correspondence between the two Governments? Without rhyme or reason a triple tax was imposed on all British commerce in Bahia; that enactment was still in existence, and though it had not been acted on, calls were constantly being made upon the Brazilian Government to repeal this unjust and iniquitous law. In the papers on the subject of the *Prince of Wales* reference was made by Mr. Christie to intimidation and to the purchase of justice. That allusion referred to a letter which had fallen into Mr. Christie's hands from an influential officer employed in the Department of Justice, and written to a judge who had to decide in a suit in which Mr. Reeve, an English subject, was concerned, and calling upon the judge to decide against Mr. Reeve. A distinguished member of the Brazilian Legislature had denounced the venality and corruption of the judge in the chambers. The hon. Member for Maidstone (Mr. Buxton) eulogized the Brazilian Government for having done much to put an end to the slave trade. He did not want to go into a history of that question; but if credit was to be taken for that measure, it was due, not to the Brazilian Government, but to the noble Lord now at the head of the Government, who had put down the slave trade there, as he had put it down elsewhere. What were the actual facts at this moment? The Brazilian Government, had entered into a distinct agreement with this country, that the negroes now in Brazil should be liberated at the end of a certain period of apprenticeship. That period had elapsed some years since, and, notwithstanding the remonstrances of the British Government, those negroes were still used as slaves; it was impossible to obtain a list of them, or to trace what had become of them. These were some of the causes of complaint existing against Brazil. Were the British Government to stand with their arms folded? Were they to rest satisfied with the plausible and, he must add, disingenuous notes of the Brazilian Minister? Would those who had been robbed, and the relatives of those who had been murdered, rest satisfied with such explanations? He ventured to say that no Government could have acted otherwise than Her Majesty's Government had done. The noble Lord opposite (Lord Robert Cecil) had quoted the opinion of a well-known legal authority, Dr. Phillimore. Now, it was no secret that Dr. Phillimore was the legal adviser of the Government, and that the Government, in deciding upon making reprisals, must have acted upon his opinion. It has been said that this was one of those cases in which a strong Power had taken advantage of a weak one. Nothing could be more reprehensible than for a strong Government unnecessarily to use its strength against a weak state, and according to the noble Lord we had the reputation from one end of the world to the other of bullying small Governments. But was it not astounding to hear, on the other hand, from his hon. Friend opposite (Mr. Seymour FitzGerald), that there was not a great Power in Europe which we had not insulted and bullied within the last eighteen months. We had written threateningly to France, insultingly to Denmark, offensively to Russia; in fact, according to the hon. Gentleman, there was not a great State which we had not insulted and bullied in turn. [MR. SEYMOUR FITZGERALD: Insulted?] Well, to which we had not used strong language. The noble Lord opposite said we would not have acted similarly to the United States. But he appeared to forgot what had taken place not very long ago. He did not wish to travel over the face of the globe, like hon. Gentlemen opposite, but any reproach with regard to the attitude of this country towards the United States certainly did not fall justly on the present Government. It was a misfortune to have to deal with a weak State, because a weak State, relying on its weakness, in some cases exacted undue forbearance on the part of a strong Power; and in other cases—and perhaps the present was one of them—there existed a morbid sensitiveness on the score of dignity, and a forgetfulness that, after all, true dignity lay in doing what was right and just. If the Brazilian Minister, instead of writing all the notes which he had done, and carping at all the little mistakes and errors that might have crept into Mr. Christie's statements, had boldly done what he possibly could towards effecting justice, he fully believed the Government would have accepted his endeavours, and would have been spared taking the step they had been forced to take.

It had been asked, what would have been the conduct of the British Government if a similar occurrence had taken place in England? In 1850 an Austrian vessel, called the *Sollicito Bocchese*, was wrecked in Cloggen Bay on the coast of Galway, and plundered by the inhabitants of Buffin island, who, he believed, enjoyed rather a bad reputation for such acts. Every measure was taken by the Government to punish these persons. They were brought to trial; a considerable expense was incurred in procuring interpreters who spoke the language of those who had been wrecked, and everything was done to bring the culprits to justice. But the grand jury threw out the bill, on the ground of want of jurisdiction of the Court. His noble Friend now at the head of the Government, who was then Foreign Minister, thereupon immediately sent the Austrian Ambassador a cheque for £540, the amount demanded for compensation. In that case everything had been done that could be done according to our laws, and the responsibility of the British Government consequently ceased; and the case, therefore, was not to be compared to the one under discussion. But suppose that in the case of this Austrian vessel the stipendiary magistrate had plundered the wreck, and the coroner with an armed escort had resisted all attempt at inquiry, what would then have been the responsibility of the British Government? He declared, that if the facts stated in the papers were proved, the responsibility of the Brazilian Government was fully established. The hon. Member had cited the seizure by the Government of the United States on insufficient grounds of the *Blanche*, the *Pearl*, and other vessels that had attempted to run the blockade, and had asked why the Government had not interfered in those cases? Because there were legal Prize Courts in the United States before which these cases would be brought. Their decisions were given upon known and accepted principles of law, and were consequently respected as just decisions by other nations. There were fair trials, and that is all we ask of any nation. Did the Motion of the hon. Gentleman mean anything or nothing? If it were a reflection on the Government, he should be sorry to see it carried; and he believed that if the Motion were pressed to a division, it would be successfully opposed. If, on the other hand, the mail of which the hon. Gentleman spoke should carry out to South America the decision of that House in favour of the Motion, whatever might be its real meaning, a shout of triumph would be heard from Panama to Cape Horn; every debtor would hail with joy the establishment of a principle which seemed to be a vital one, to be struggled for to the very death, in South America—the privilege of not paying debts; and every creditor would sit in sackcloth and ashes. Such a decision would exercise the most fatal influence on British interests. Her Majesty's Government regretted with the hon. Gentleman that a misunderstanding had occurred between the two Governments, and they were equally desirous with him that friendly relations should prevail between Great Britain and a Power which had, from its peculiar form of government, special claims upon our respect, and which, from its great wealth, the magnitude of its resources, and the intelligence of its inhabitants, was well entitled to hold a great and independent position among the nations of the world. But Her Majesty's Government had a great, solemn, and peremptory duty to perform—namely, to protect the property and lives of Her Majesty's subjects. He believed that the country would support the Government in performing that duty. It was with the conviction, that if this Motion were carried, British property would be sacrificed, and even British lives imperilled throughout the world, that he called upon the House to reject the Motion of the hon. Member for Lincoln.

Mr. COBDEN: Sir, I must say I scarcely remember ever to have listened to a debate in this House in which the speakers have wandered so far from the immediate question before it. I shall say but a very few words at this late hour, but what I will say shall be to the purpose. I have listened to the speech of the hon. and learned Gentleman (Mr. Collier) who led off this discussion in defence of the Government. He stood behind me; I could not see him, but I could fancy he had his gown and wig on, and, in fact, on one or two occasions he seemed to have thought so himself, for he addressed us as though we were "Gentlemen of the jury." On the other hand, I view the speech of my hon. and learned Friend precisely as a practised juryman regards the speech of a counsel who opens a case in court. He knows that he is speaking from his brief, that he pledges himself to nothing, and that he does but follow his instructions. I am in this difficulty with regard to this case, that I cannot believe in the competency of the witnesses. We have, in fact, only one witness to the main point at issue. Mr. Christie, our Representative in Brazil, tells us, at page 71 of the Official Papers—

> "All that is known as to the plunder, and all the circumstances suggesting suspicions of murder, are set forth in Mr. Vereker's despatches."

Now, I take exception to Mr. Vereker as a witness in this case. I cannot accept him as such. I do not know whether hon. Gentlemen have read this book from the beginning with the attention that I have, but I was struck, from the very first despatch dated June, 1861, and signed H. B. Vereker, to the end of his correspondence, with this feature, that there is a morbid suspiciousness pervading it throughout. For instance, in announcing the receipt of the first intelligence of this disaster in his despatch to the Secretary of the Board of Trade, from the beginning to the end of that despatch, giving the description of the wreck, the mode in which he heard of the wreck, and what he was about to do in consequence of the wreck, every line of it is tinged with a degree of suspicion and excitement. It conveys the impression that he had actually viewed the wreck as a sort of conspiracy against himself. A magistrate who happened to visit Rio Grande, mentions in conversation that a wreck had taken place, Mr. Vereker takes exception to the way in which he related this rumour, as if a wreck was something that happened periodically in his district, as if it came within the ordinary functions of a magistrate to come to Rio Grande once a month or once a quarter to announce a wreck, and that he had come on this occasion and had not given all the information that was expected of him. Mr. Vereker sets about to find out evidence as to whether the vessel that had been wrecked was a British vessel; he finds papers, and imagines that somebody wanted to keep them from him. Immediately he obtains evidence that it is a British vessel, he applies to the municipal judge of the place to accompany him to the scene of the disaster; and here he is obliged candidly to admit that the municipal judge, with the utmost promptness and frankness, agreed to accompany him. They started forthwith with an escort of soldiers and an armed body of custom-house officers, proceeding forty miles the first day and thirty-eight miles the next day, through a desolate region. This armed body of men arrive at night at the house of the magistrate Soares, the very person who had been in Rio Grande and had reported the wreck. He arrives at the house in the evening, accompanied with an armed escort, and he there finds two young ladies, the daughters of this magistrate, who is himself from home. They receive this body of armed men coming in the evening with some reluctance, and appear disinclined to admit them into the house. That circumstance is immediately put down by Mr. Vereker as a confirmation of his suspicions that Soares had something to do with the robbery. Next morning he sallies out, and goes to see the scene of the wreck. He finds out that there are four bodies somewhere which he wants to have removed, and he inquires for the other bodies. He sees two officers talking together, and he immediately draws a conclusion as to what they are saying. He wants to have an inquest, but he says he has not an escort strong enough to compel the neighbourhood to agree to an inquest. Then it is suggested that they should search the houses, and he who was afraid of the power of the parties in the neighbourhood detaches himself with half of the escort, and proceeds to search a portion of the houses, while he despatches the other half of the escort to search the remainder. Nothing is discovered in the houses; and immediately Mr. Vereker declares that the plundered property is in the adjoining thickets. He returns to Rio Grande, and he demands that the four bodies which had been found should be sent on to Rio Grande in order that an inquest should be held on them. The bodies are in a state of decomposition, but an armed escort is immediately despatched to convey them to Rio Grande, and an inquest is held on them. There are competent medical men in attendance, who pronounce that these unfortunate persons had died of suffocation from drowning. This only confirms Mr. Vereker's suspicion that murder had been committed. Now, I mention this suspiciousness to show the mental condition of this gentleman, which is of importance in this case, and this state of his mind appears in all this correspondence. In a despatch to Earl Russell, at page 14 of the papers, and received February 3, 1862, Mr. Consul Vereker has occasion to speak of the sub-delegate of Tahim, and he says—

> "The sub-delegate had to collect such goods as he could in benefit of the customs, and yet most of the goods which he delivered to me had been taken out of their cases, and there is no real doubt but that those cases were broken by his order, and the goods of least value given up. In making this statement according to my conviction, I feel it right to say I cannot legally prove it."

That is the tone that pervades the whole of this correspondence. Now, in the account given of the inquest there seems to be a little misunderstanding respecting the Portuguese word which has been translated as "strangled," when it is said it meant "suffocated." Mr. Consul Vereker, in writing to Earl Russell on the 20th March, has occasion to allude to the examination of the bodies, and he says at page 20 of the papers—

> "In the report of the examination of the bodies on the coast, among other allegations not creditable to the local residents, it is stated by those appointed to examine the body of one of the unfortunate persons from the wreck that he was strangled. Such statements may account for the unwillingness of the authorities to give the required information, and possibly for the limited nature of the inquiry instituted, as there seems to exist a fear that under a more searching investigation disclosures might be made which would throw discredit on the country."

Having formed this supposition, he builds an hypothesis upon it, for he continues—

> "If this is so (I put the suggestion forward only hypothetically), it shows on the part of the local authorities either a culpable sympathy with evil-doers or a want of moral courage which is highly reprehensible."

Now, I will not read more than one more extract; but I say that if you follow up this correspondence, you will find the same tone pervading it throughout. In a despatch to Earl Russell, dated April 24th, at page 35, Mr. Consul Vereker, in referring to the inquiry which the President of the Province is about to institute into the circumstances of the shipwreck, says—

> "Its necessity is alleged by his Excellency the President to arise from my having reported to Her Majesty's Government that the crew of the barque had been assasinated, and the delegate in his despatch invites me to be present, as it were, to sustain my suspicions; thus the inquiry comes to bear the character of an attempt to disprove those

> alleged statements, which, as your Lordship is aware, were never uttered; for though I have endeavoured most faithfully to report the facts, I have with equal caution avoided hitherto drawing any conclusion."

In the same letter, a few lines farther on, he says—

> "I feel it suitable at this time, and after mature consideration of the various bearings of the case, to declare my opinion that the deaths of some of those who composed the crew of the *Prince of Wales* cannot, in view of the facts and circumstances, and position of the bodies, be accounted for in any reasonable manner excepting on the suspicion that they were the result of assassination."

So that in the very same despatch he states in one place that he refrained from drawing any conclusion, and in another that there was no reasonable way of accounting for all the circumstances but upon the supposition of assassination. Now, I take his unconciousness of the infirmity under which he was labouring to be a strong proof that the infirmity was of a very grave description, and this brings me to a matter which should be alluded to with great delicacy; but the facts and the causes remain. I am not going to speak of the causes—they are not such as have been volunteered by my hon. Friend (Mr. Layard). There are matters to which I might allude, there are other circumstances than those which have been mentioned to which I might refer; but I shall say no more than that the painful fact is disclosed in the despatches, that last year Mr. Consul Vereker had been seized with mental aberration, and symptoms of the malady under which he was labouring pervade the whole of his correspondence. He appears to have been seized with the delusion that he was himself going to be assassinated, and he took refuge in Rio Janeiro. He went to Mr. Christie, who appointed a medical man to examine him, and that Gentleman was obliged to say to the Marquis D'Abrantes that the whole was a delusion, and Mr. Vereker was then sent to England. Now, I say that such a person as Mr. Consul Vereker would be held in any court of justice an incompetent witness upon whose testimony the case should be decided. I would wish you to bear in mind that Mr. Consul Vereker's evidence is the only testimony we have to show that these minor and inferior agents had neglected their duty, or had been in any way compromised in this affair. The matter to which I desire to draw the attention of this House is, that we have the testimony of the highest class of witnesses in opposition to the statements which have been made, and I maintain that they are the parties by whose evidence we should be guided. We do not find it stated in the blue-books of the Government; but we have it from the highest authorities, persons who have been long resident in the country—that the present Emperor of Brazil is a Sovereign of the highest attainments—one who, in fact, if he were one of the potentates of Europe, would take a foremost rank among the monarchs of the old world. You find, in the correspondence of Mr. Christie, that he speaks very highly of the Brazilian Minister of Justice, and you find him also speaking highly of the President of the Province of Rio Grande. You will find, also, that Mr. Consul Vereker is obliged to admit that from the municipal judge and other authorities of the country he received the most prompt and generous attention. Now, these—the highest authorities—are those from whom we should expect, and do receive, the most satisfactory proofs of the policy which they desired to adopt towards another nation. I do not intend to enter into the jumble of details which have been laid before the House for the purpose of showing that property was stolen. I am perfectly satisfied that there was a wreck, and that the vessel experienced the same fate it would have done in other countries. No doubt some of the property was carried off, and that, as the district borders upon a neighbouring State, the parties implicated could not be secured when the Government wished to bring them to justice, I can also believe it possible that some of the men were even murdered when they came ashore. I do not believe it, but it may have been possible. All those circumstances, however, would not be sufficient to constitute a ground of claim against the Brazilian Government, unless you can find that there has been something like complicity in the proceedings on their part. Why, Sir, it would be a tremendous evil in the international relations of the world if a foreign State, one of whose citizens living abroad had suffered wrong, should claim to be the sole judge as to whether that citizen had been treated properly or not, and to assume for itself the functions of both judge and jury, and insist upon justice being done according to its own behests. Now, I apprehend there is one simple but invariable rule by which we should be guided in such cases, and that is, that if you go into a foreign country—except, perhaps, China or Turkey, into which countries you claim to carry your own laws,—you must be content if your countrymen receive the same treatment which the citizens of that country receive. You cannot claim more, and you have a right to receive that. Can anybody doubt that the Brazilian Government behaved just in the same manner and with the same good faith in their desire to bring the guilty to justice as if the vessel belonged to one of their own citizens? But what charge does Mr. Vereker, as a matter of fact, bring against the magistrate Soares? I suppose Soares is a gentleman, as he was appointed a magistrate. I was sorry, therefore, to hear my hon. and learned Friend (Mr. Collier) speak of him as a brigand with his retainers. Now, what is proved against him? That two Bibles were found in his house. Does anybody suppose that in a Portuguese Catholic community any value was attached to an English edition of the Protestant Bible, or that these two volumes of the Sacred Scriptures were taken as plunder? Let us suppose that a Brazilian vessel was cast ashore on the coast of Cornwall—a district rather famous in connection with shipwrecks—and that a cross or a rosary of no intrinsic value was found in the house of a magistrate near the place; would it be taken as a proof of piractical robbery? I think that the case of Senhor Soares is just such a one as might have occurred in England. From the facts before us I contend that we have no proof of connivance on the part of the authorities of Brazil. But there is one point which I wish to bring out, which will have some weight with the noble Lord at the head of the Government. That noble Lord professes very great anxiety to protect the interests of Englishmen living abroad. Well, there is a body of English merchants living at Brazil, men of high respectability; and what would be the testimony of those men with respect to the conduct of the Brazilian Government? I will venture to say that the community of Englishmen in Brazil are treated with as much consideration and respect, and as much fostering patronage and protection, as it is possible for any country to show to foreigners residing within its boundary; and what is the opinion of that community of British merchants in Brazil on this very transaction? I say, on the authority of men connected with the Brazilian trade—and I beg the noble Lord at the head of the Government to bear this in mind—that the merchants at Rio and in Brazil generally are unanimous in disapproving the course taken by the English Government. ["Hear, hear!"] What I have just stated has been cheered by the hon. Gentleman who brought forward the present Motion, himself largely connected with the trade of that country. I go further, and say that the feeling of the British merchants there on this question arises mainly from the fact that they do not believe the evidence of Mr. Consul Vereker to be sufficient to prove that the Brazilian Government have sought to do any injury or to evade their responsibility to English merchants; and they bear testimony to the desire of the Brazilian Government to cultivate the most friendly relations with England and the English residents in Brazil. What is to become of the maritime States of a weaker order if the principle is established, that where a shipwreck occurs the country where it happens shall be held responsible? As the Brazilian authorities said in one of their despatches, the coast where this shipwreck occurred would become a favourite resort for a certain class of mariners if the country is to be made responsible for all shipwrecks there. We have lately had an exposure, which shows, I think, pretty conclusively, that a new kind of industry has been established in the world. It is a sinister kind of industry, that of making a profit by wrecking ships; and if the Brazilian Government are obliged to submit to the demand made on this occasion, then I say that the coast of Rio Grande will be a favourite resort of mariners of that odious description. Before I sit down I will say one word as to, perhaps, the only practical benefit to be derived from this unfortunate business. I want to draw public attention to the evils which arise from such secret diplomacy as has been practised in this matter. Here is a correspondence carried on for eighteen months upon a purely commercial question of the very smallest magnitude; vast interests in Brazil have been jeopardized, and yet we have been kept in complete ignorance of these secret proceedings. We have lately had a movement among a number of chambers of commerce, calling on the Foreign Office to put itself in greater communication with them in reference to commercial arrangements with other countries; and I think that they might take a hint from what has occurred on this simple matter. I have read these despatches with a greater distaste for diplomacy than I ever felt before. They exhibit such an amount of verbal criticism and special pleading, and the correspondence is altogether of such an order, that I was really ashamed when I perused it. I wish to make a suggestion with regard to all such correspondence as this, having simply no other than a commercial interest. I do not speak of diplomacy in Europe, having reference to State affairs, the balance of power, and old treaties, with respect to which, in deference to third parties, it is thought proper to keep the diplomacy secret; but I am referring to correspondence simply on a commercial question; and I think that it would be a very prudent course for that correspondence to be published before the proceedings are brought to a close. I venture to say, that if this correspondence had been published from the beginning, if it had been laid on the table of the House at the commencement of the last Session, and we had known what was going on in Brazil, the body of English merchants there, whose public opinion would have been far more effectual to preserve peace than your diplomacy, would, if you had let in the wholesome light of publicity, have put an end to that envenomed style of diplomacy which has been going on for so many months, and which has hatched all this mischief. What has been the result of the course of proceeding adopted? Why, without even twenty-four hours' notice, the British merchants in Brazil found their country on the verge of a war with the Emperor of Brazil. The act of the Admiral in making reprisals on Brazilian vessels was taken in secret, and the consequence was such a perfect panic that great alarm was felt for the lives and property of English subjects in Rio. Your Minister barricaded himself in his house for protection. It should be mentioned, for the credit of the Brazilian Government, that, to allay the alarm, the Minister of Commerce went down to the Exchange and assured the English merchants there that they should have the whole power of the State exerted for their protection; and the Emperor went into the streets and harangued the populace with the object of calming their agitation. But, suppose the Emperor had taken another course—and I have heard from some shrewd men that he might probably have consulted his interest better if he had, for I am told that you have imperilled by your proceedings the existence of the only constitutional Monarchy in America, and given ascendancy to the Republican party—but suppose the Emperor had taken a different course when you seized his ships, and had made reprisals tending to war. See in what a predicament you place the vast interests of Englishmen in Brazil. The hon. Gentleman who brought forward the present Motion states that £20,000,000 of British property were at stake. In one hour the lives of British citizens might have been placed in danger, and their property rendered liable to confiscation, because of a state of war. This is a state of things which it behoves the commerce of the country to take steps to avert in future. Where we are connected with another nation only for the purpose of commerce, let the merchants and manufacturers of this country demand publicity in cases like this, so that public opinion may be brought to bear on them, and then we shall never have such a discreditable production as is the blue-book on this matter. I will not refer to that other topic dealt with by the noble Lord the member for Stamford (Lord Robert Cecil). I feel humiliated to see an aged Sovereign in infirm health like the King of the Belgians called upon with all his abilities to condescend to arbitrate on a question such as that of the three young officers who went from a ship of war to enjoy themselves in the country—at the Star and Garter of Rio—and who becoming merry committed the not very serious offence of mocking a sentry, who was perhaps half a sleep, and contrived to get themselves put into the guard-house. We should think that a venial offence here; but what invested it with real importance is the absurd manner in which the Foreign Office took up the subject. I say that diplomacy must be in its dotage, when it can find no better occupation than the case of these officers. I do not know whether the hon. Gentleman the proposer of the present Motion will divide the House, or whether he will be content with having elicited opinion on the subject. If he will divide, I shall vote with him; but I would not advise him to be in a minority on a division. I would rather advise him to be satisfied with being in a majority in the debate. I venture to say, unless it be my hon. and learned Friend the Member for Plymouth —who, I say, holds a brief, and is a kind of legal adviser to the Government in such matters—you will not find outside the ranks of the Government many men in this House distinguished for influence and independence who will take their stand with the Government in support of their measures on this occasion.

THE SOLICITOR GENERAL: Sir, nothing is more easy than to claim a majority in debate. Those who are not willing to take the sense of the House by a division may always applaud their own arguments, and say that they have the majority in point of reason; but I think we may safely conclude, that if hon. Members sitting on the opposite side of the House are not inclined to divide, they do not agree with the hon. Gentleman who has just spoken (Mr. Cobden) in thinking that they have the majority of arguments in the debate. Being a great admirer of the hon. Gentleman's undoubted abilities, and of his eminent services to the country, I always listen with interest to his speeches, and I hoped to have received some new light on this occasion; but I have been disappointed, for the hon. Member appears mainly to have addressed himself, though without success, to an object unworthy of his influence and abilities—to the object of throwing discredit on an honourable servant of the country, who, from motives most laudable, and in the discharge of an imperative duty, has endeavoured to see justice done in a case of crying wrong. The hon. Gentleman has devoted his energies on the present occasion to making a most feeble attack on a gentleman who, he says, is the sole witness for the Government. Now, I wish to show that we do not rest our case on the testimony of that gentleman. We may safely take our stand upon the Brazilian authorities themselves. I do not want to go out of their despatches to prove the case of the Government. The hon. Member has taken so strange a view of the principles involved in this discussion that he has said, "You are starting a new principle; you are making every nation responsible for every shipwreck that occurs on its coast." The hon. Gentleman has of late years given no small part of his attention to international law; he wishes to establish a general system of arbitration—although upon this occasion he is humiliated because the Government have recourse to it—in all such questions, and undoubtedly he is a great authority upon that subject; but certainly a more remarkable inadvertence as to the principles of international law it would be impossible to conceive. Now, what are the principles on which the Government has acted? I do not think that any one in this House who has given attention to the subject will challenge them. There may be those on the one side of the House or the other who may think that the facts did not call for the application of those principles, and there I am ready to meet them; but the principles themselves are not open to serious mistake or misunderstanding. It is the duty of those who, in any country, take upon themselves the responsibility of government to see that that government is efficient for the repression of outrage and wrong, especially of outrage and wrong against the citizens of other nations. It is a duty correlative to, and inseparable from, the territorial rights which they assume; because, if it were otherwise, of course foreign nations who suffered wrong would be entitled to take the law into their own hands, and seek redress against those from whom the wrong has been received. But because the sovereign power is vested with responsible authority, and undertakes to see justice done to the subjects of other countries, for that reason it is that the Sovereigns of those other countries cannot execute justice in their own favour within the territory of the country the subjects of which have done the wrong, but must go to the Sovereign of that country, and require from him that justice should be done. And I say that it is a duty inseparable from sovereignty to provide the means of repressing outrage and wrong against foreign nations, and, having provided them, to see that they are honestly and effectively carried into effect and used. Now, that is no new doctrine, no strange doctrine. A great ornament of the jurisprudence of the northern part of this kingdom, one worthy to be ranked with the greatest jurists of Europe—the Lord President Stair—has laid down that doctrine in terms at once so forcible and so applicable to the present case that the House will, I have no doubt, excuse my reading an extract. He says—

> "Reprisals are granted by princes or States to seize upon the goods of all persons under the dominion of such princes or people who have refused to make just reparation for the wrongs and damages done by any of their subjects, which the law of nations doth justly and necessarily allow for the common good of mankind. For, if private persons be injured by those who are not under one common authority with them, by piracy, pillage, or otherwise, ofttimes they cannot know the injurer; and, all force being vested in public authority, they cannot make use

> thereof to redress or avenge themselves; and therefore they can only make application to the sovereign authority of that society of people whereof they are members, and represent and instruct the injury and damage sustained by them, by the subjects of those princes or States, and thereupon desire that a redress may be demanded, which is ordinarily done by ambassadors, or other Ministers of State; and, if redress be not so obtained, the sovereign authority of the persons injured may and ought to give commissions for seizing upon the goods of any of the people of the society whereof the injurers are members."

There is no jurist who has not laid down the same doctrine. The alternative would be most monstrous. What is the alternative? If the Government of Brazil do not accept the responsibility for the piratical acts of a whole population living under their control—if they do not admit that they are bound to provide means of doing justice and repressing wrong, and to use those means honestly and efficiently—are we to say, that because a nominal sovereignty is established in Brazil, therefore wrong is to go on with impunity? There are no means in Brazil of redressing it; and then we are not to be at liberty to do it for ourselves, because, forsooth, we should be violating the territorial sovereignty of that nation. Suppose we had sent a ship-of-war to this coast, and our marines had gone to the house of the magistrate Soares, whom I, in common with my hon. Friend, believe to be the principal of this gang of plunderers, and had enforced redress from him and the other wealthy inhabitants, what would have been said? "You are violating the territory of Brazil." Then, of course, we go to the sovereignty of Brazil and say, "Do us that right which by the law of nations we are not at liberty to do directly for ourselves." But it is said by my hon. Friend the Member for Horsham (Mr. Seymour FitzGerald) that it is wrong to seek pecuniary compensation for a denial of justice, if justice would take the shape of punishment, if justice would not necessarily result in pecuniary reparation from those who have done the wrong. My hon. Friend is quite mistaken. I have here a short passage from *Vattel* which I will read. He says—

> "The Sovereign who refuses to cause reparation to be made for the damage done by his subject, or to punish the offender, or, finally, to deliver him up, renders himself in some measure an accomplice in the injury, and becomes responsible for it. But if he deliver up either the property of the offender as an indemnification in cases that will admit of pecuniary compensation, or his person, in order that he may suffer the punishment due to his crime, the offended party has no further demand upon him." (*Vattel*, B. ii., chap. vi., sec. 77.)

If he does any of these things—that is, if he executes justice to the utmost of his power, either by obtaining pecuniary compensation, or, if that cannot be done, by executing punishment upon the offender—it is enough; but he must do what is possible in these respects, and it is his duty to provide such means of administering justice in his country that it shall be possible. I do not mean of course in every individual case, but where a wrong is done on a great scale, as in this instance, by a combined population. It is said that we should only make reprisals upon just grounds; what is meant by that? Grounds which the nation making the reprisals is satisfied it can demonstrate to be just by good and sufficient reasons. Writers say this, "You are no doubt in the first place to do all you can, to use all peaceable means of getting justice done in the ordinary course in the country where the wrong has been done; you are not hastily to take the law into your own hands and assume that justice cannot be done." But some writers accompany that with this caution; Vattel following up the passage in which he lays down that doctrine with these words—

> "But, in order perfectly to understand this article, it must be observed, that if in a disputable case our adversary either refuses to pursue or artfully evades the necessary steps for bringing the matter to the proof—if he does not candidly and sincerely accede to some pacific mode of terminating the dispute, . . . he gives justice to our cause, which before was problematical."

Let us now come to the facts. I undertake to show that we have, upon the evidence of the Brazilian authorities themselves, all the circumstances necessary to make out the justice of our demand. In a despatch which is at page 16, written by Senhor Garces, who was, I think, delegate of police, to Senhor Callado, the chief of police—written among themselves, by one Brazilian authority to another—we have their own statement of the facts, which, although my hon. Friend read it, I will read it again, because it is short, and is evidence of the most important character. Senhor Garces says, "The cargo of the barque was all sacked." So that the main fact that the cargo was plundered is stated on their own authority—

> "Mariano Pinto and Manuel Maria Rodrigues (who fled for the Oriental State) were not the only ones who robbed it; it is known that many

> of the inhabitants, perhaps the wealthiest of the place"—who was the wealthiest? Soares, the justice—"are devoted to this industry; but against these no proofs appear; there will be no witnesses who would depose against them."

He then goes on—

> "The inhabitants of the more neighbouring parts interested in concealing it, having robbed almost all, . . as has been the custom to practise in other epochs and in identical circumstances."

Showing that this is not an isolated act, but that it is the habit of the people of that coast. After passing over many similar statements, we come to one at page 39, where Mr. Vereker writes—

> "Dr. Canarim, the delegate of police of this city, informed me this day that they had obtained proofs against six or seven individuals for plundering the cargo, but that no arrest had taken place, as they were satisfied that others of greater influence were involved; and it was feared that the principals would escape if those of less note, with whom the others had combined, should be prosecuted; they wished to connect the proofs so as to reach the principals. The delegate added that almost all the inhabitants of the coast were implicated in the robberies."

So that they might have arrested six or seven persons, whom they did not, because they wished to collect proofs to implicate the principals. And after the statement that almost all the inhabitants of the coast were implicated in the robberies, what becomes of the assertion that the perpetrators of this crime were a few persons who crossed the frontier the moment, it had been perpetrated, and that unless they had been discovered at the moment, it was utterly useless to attempt to prosecute them? We have the authority of the Brazilians themselves to the contrary. The whole fixed population of the place was known to be concerned in these transactions, but they omitted to prosecute these six or seven against whom they had obtained proofs—observe "obtained proofs"—because all the inhabitants were involved; by some very strange course of reasoning, they thought that they ought to complete the proof so as to include every one who was guilty, especially the principals, before they proceeded against the five or six against whom they had proofs. Was there ever plainer evidence of complicity, or a plainer confession that they did not do what they could? Then what happened besides? The House has heard the name of Faustino, the inspector of the district, son-in-law of Soares, who ought to have taken charge of the property, and who denied that the chests had been opened, although there was under his eyes the evidence that it had been done, and who was there with the force which overawed the judge who came with Mr. Vereker to see the wreck. Now, it is upon his statements that, according to that despatch to which Senhor Moreira refers as containing a satisfactory summary of the whole case, he and others are sought to be exculpated by the Brazilian Government. What do they admit about him? It came out in that very memorandum that he was dismissed for having intentionally allowed to escape persons who were in custody for complicity in this robbery. So here you have evidence of an inspector permitting the escape of prisoners under such circumstances. I would now ask the House to allow me to go back to what took place between Senhor Callado and Senhor Garces. At page 16 you will find the despatch from the latter to the former, in which he speaks of the wealthiest inhabitants being implicated. He goes on to say—

> "It is my duty to assure you that I have adopted every measure, I have done everything possible, for the advancement of that process, which it is not possible to advance, seeing that it being necessary to have the depositions of witnesses to form the accusation against the only culprit who is in gaol, this cannot be obtained, because, having ordered three times that various persons of Albardao and the neighbourhood should be notified to appear in this city, they all refused; they did not appear before the officer of justice, pretending that they were sick."

Here we have evidence that there were persons within the Brazilian territory who ought to have been produced to give evidence, and who, though not actually sick, but pretending to be so, were not compelled to appear. Now, does my right hon. Friend the Member for Horsham (Mr. Seymour FitzGerald), or my noble Friend the Member for Stamford (Lord Robert Cecil), who seemed to be so enthusiastic on the side on which they spoke in this debate, seriously believe that the authority of the Emperor of Brazil was not such as to enable him to enforce the attendance of those men? And if there be anybody who imagines that a mere refusal on their part to come forward ought to constitute a sufficient obstruction to the course of justice, I can only say to him that Senhor Callado did not take that view of the matter, because in reply to Senhor Garces he uses the following words:—

> "I have to point out to you that as that process should terminate, and the reluctance of the witnesses to come before Court cannot serve as a motive to delay it, you should make use of the re-

> sources of the law, ordering them to appear under the rod of justice."

Again—

> "Finally, if the witnesses should refuse to swear the truth against the wealthy inhabitants of the locality of the wreck, who, according to your opinion, are the principal criminals, shown guilty of perjury, they ought, as such, to be processed, it being necessary determinately to show ('determinar') to the sub-delegate of Tahim and to the inspector of the district that they should investigate where the articles robbed remain, and who detain them, in order that they may be brought to judgment."

Thus, it appears that the chief of police, who seems to be an honest man, gives it as his opinion that the witnesses ought to be compelled to come forward. Is there, I would ask, any evidence in the papers before us to show that the officers of justice in Brazil used the means at their command to effect that object? None whatsoever. Now, in the last despatch of Senhor Mereira I find some facts and arguments which are not in the Brazil papers. It is said that five inquests were held by different authorities, and that Consul Vereker might have been present at all those investigations. Now, for that statement there is not a particle of foundation. So far as the earlier investigations were concerned, he was simply told that proceedings would be taken, and that he would be informed of the result. He never was, however, informed on the subject until after the proceedings had taken place, and during the most important part of them, when the truth might have most easily been discovered, he was furnished with no opportunity of being in attendance or making a statement. There is also another assertion with respect to the conviction of eleven prisoners, which my hon. Friend the Member for Horsham has adopted from the last despatch of Senhor Moreira, for which, except in that despatch, I have found no foundation. In page 77 there is a letter of the Marquis of Abrantes, dated the 16th of August, 1862, an extract from which I will read, and which is thus reported in the English translation—

> "I think I have given as lucid an answer as possible to each of the propositions of Mr. Christie's note, thus having enabled him to furnish his Government with what explanations he wishes. I will not, however, conclude without informing Mr. Christie that on the day on which I received his note, to which this is an answer, I also received a despatch from the President of Rio Grande of the 31st of last month, from which it appears that the investigations and inquests to be held by the authorities have been concluded, resulting in the conviction of eleven persons for robbery."

Now, any one who reads as far as that, and no further, might well suppose that that took place with respect to these eleven prisoners, which was reproduced in the last despatch of Senhor Moreira; but on looking to page 85, I find that Mr. Christie communicates a correction of that passage which he had received from the Marquis Abrantes, and which is as follows:—

> "I will not conclude without informing Mr. Christie that on the same day on which I received his note I received also a despatch from the President of Rio Grande, dated the 31st of July, from which it appears that the examination and inquiries to which the proper authorities proceeded have been finished, the result being that eleven individuals are accused of the crime of robbery, and that the competent order of imprisonment has issued against them."

That, the House will see, is a very different thing from the apprehension or conviction of these men. Again, at page 122, the following passage occurs:—

> "The President finally made a communication that a fresh process had been instituted against eleven individuals, and that endeavours were being made to send descriptions of those supposed to have taken refuge in the Oriental State. At the commencement there were only three, but by means of the continued efforts of the authorities eight more had been discovered."

Now, I do not suppose my hon. Friend will believe that since this blue-book was completed these eleven persons have been convicted. [Mr. SEYMOUR FITZGERALD; Yes.] Well, all I can say is, that I am led to make a totally different inference on the matter from that which my hon. Friend has drawn. I am persuaded that Senhor Moreira's last despatch is not founded on independent information received by him, because he would have said so if such had been the case. My conjecture is that the person who wrote that despatch had not read all the papers, and had been misled by the first mistranslation. I have now, I think, satisfied the House, not on the testimony of Mr. Vereker alone, but from the Brazilian authorities themselves, that the whole population of the district in question were accomplices in this outrage; and I contend that the Government ought to furnish the means of redressing a crime of which the whole population were guilty. I add, that the Brazilian authorities did not, on their own showing, use all the means at their disposal to bring the offenders to justice; and if this be not a denial of justice, I know not what is to be regarded in that light. The facts connected with the bodies appear to me to be equally irresistible. I agree with those who contend that it would not be right to ask for compensation on the ground that murder was committed unless we had positive proof of the fact. We may, nevertheless, be morally convinced that murder was committed, and that the Brazilian Government did not take the proper means to investigate the matter. How does that case stand? It appears from the papers, and not simply on the evidence of Mr. Vereker, that he wrote to the proper authorities immediately after returning from the spot, and demanded that all the bodies should be disinterred and an inquest held. Now, it has not been denied that there were ten bodies in all—five were admitted to have been buried in one spot. But only four bodies were sent in answer to Mr. Vereker's demand. He immediately called attention to the deficiency, and asked why all the bodies had not been forwarded. The reply was, that orders had been given to have the matter strictly investigated; but nothing ever came of it. It was never alleged that the position of the bodies was not known till a long time afterwards, when it was suggested that the sands might have drifted so that the bodies could not be found. Is it unreasonable to suppose that Mr. Vereker has told the truth in regard to these things? What could be more extraordinary than the explanation which has been suggested of Mr. Vereker's condition? Is it to be said that because that gentleman was so zealous on behalf of his countrymen—because he was so eager to uphold the honour of his country—because he exerted himself so arduously to obtain redress that his mind for a time gave way—is it to be said that because this misfortune fell upon him through over-anxiety, therefore every statement he had previously made is to be discredited? I was surprised to hear such observations from the noble Lord the Member for Stamford (Lord Robert Cecil), of whom I expected better things. I think the hon. Member for Rochdale (Mr. Cobden) would also have done more honour to his high character if he had abstained from such insinuations. These Gentlemen have no right or reason to assume that because Mr. Vereker became ill through the over-excitement of business, which is what might happen to any of us, and was temporarily subject to certain delusions, everything he had written before that concerning what he had seen with his own eyes and heard with his own ears was a misrepresentation and a delusion, especially because it tended to criminate the Brazilian Government. It seems to me, Sir, that the Brazilian Government has sufficiently criminated itself. There is no trace of aberration in the statements of Mr. Vereker. They are perfectly rational and consistent. Does the hon. Member for Rochdale believe this is purely imagination? Mr. Vereker states—

> "I also saw in Senhor Bento's house two cases belonging to the *Prince of Wales* empty, but dry and in perfect order. I noted the marks, and am informed from Glasgow by the shipowners that they had contained fine manufactured goods, yet no part of these goods was given up."

If the hon. Member calls that an effort of fancy, it only shows into what sad delusions those sometimes fall who are so ready to think evil of the efforts of their countrymen in distant lands, when the wrongs of British subjects are in question. Some Gentlemen have talked as if Senhor Bento Soares had been charged with going to the ship expressly for the purpose of stealing the Bibles. He was suspected of having been concerned either personally or through his subordinates in the work of pillage, because these Bibles were found in his house, along with the cases, and these things constituted conclusive evidence of the *corpus delicti.* The Brazilian Government themselves did not dispute the connection between these articles and the robbery. On the contrary, they said that there was a certain carpenter who was implicated in the robbery, and who resided in Bento Soares' house, and suggested that that might account for some of the things from the wreck being found in the Senhor's house. And it is rather significant that all the people implicated appear to have been retainers or dependents of Soares', and at least one of them lived in his house. If they ventured to commit such acts, it might be supposed it was because they knew the Senhor would not object to them. It is important also to observe that the books and cases were dry, showing that they had not been cast ashore from the wreck, but had been deliberately stolen therefrom. According to Mr. Vereker, one of Soares' own boys admitted that his father knew of the wreck on the 9th; yet Soares took no steps to preserve the property. He went to Rio Grande on the 12th, and knowing that the circumstance would soon be notorious, mentioned casually that some bodies had been cast ashore; but when questioned as to the wreck, he denied all knowledge of it. The admission of the Brazilian Government that wealthy persons were implicated in the outrage, the fact that the suspected delinquents were connected with Soares and his house, the release of one of the prisoners by his son-in-law Faustino — all these things pointed to Soares as a participator in the crime. Among other irrelevant episodes in this discussion, the hon. Member for Taunton (Mr. Cavendish Bentinck) fought his battles over again, and once more slew the slain, in regard to the case of Mr. Watson Taylor. It is rather odd, that the hon. Member who was last Session so angry at our non-intervention, is this Session so indignant at our intervention. Whichever course we take we cannot please hon. Gentlemen opposite. I trust, however, the House is now satisfied that the action of the Government has been *bonâ fide*, and that their only object has been to prove that British subjects cannot be wronged with impunity, either by a weak or by a strong Government. If proof were wanting that the administration of justice in Brazil is by no means so pure as has been represented, it would be found in the fact to which my hon. Friend (Mr. Layard) has referred, that in the case of Mr. Reid a person high in office canvassed the judge for a decision against that gentleman without regard to the justice of the matter, and in the subsequent avowal of the Brazilian Government that there was nothing unusual in such a proceeding. Moreover, at the very time that the decided protest of the British Government led to Faustino's dismissal it appears that that officer was about to have been promoted. I think the House will have no doubt about the matter. I wish we were going to a division, but I trust, that although the House is unanimous, the effect of the discussion will not be less than if we had divided.

Mr. BRAMLEY-MOORE said, that after the expression of opinion by the House he begged to withdraw the Amendment.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

The Solicitor General

CUSTOMS ACTS—TOBACCO DUTIES.

COMMITTEE.

Custom Acts (Tobacco Duties)—*considered* in Committee:—

(In the Committee.)

The CHANCELLOR of the EXCHEQUER moved a Resolution—

"That the duty of Customs on unmanufactured Tobacco imported into Great Britain and Ireland which shall contain less than 10 lbs. per cent of moisture shall be 3*s.* 6*d.* per lb.

Mr. AYRTON said, it seemed as if they were about to increase the duty on the class of tobacco consumed by the poor, when they were reducing it on that kind of tobacco which was consumed by the rich. This would have a bad effect upon the public mind. He did not care how much the duties were reduced, his only desire being that they should be fairly levied upon all classes of the community.

The CHANCELLOR of the EXCHEQUER said, he would not detain the House now by giving detailed explanations of the effect of the clause, but he would only say that the Resolution merely proposed to fix a test of moisture in tobacco in reference to drawback, and was not intended to have any bearing whatever upon the ordinary duties on tobacco.

Resolution *agreed to.*

Resolved,

That the Duty of Customs on unmanufactured Tobacco imported into Great Britain and Ireland, which shall contain less than 10 lbs. per cent of moisture, shall be . . . per lb. 3*s.* 6*d.*

House *resumed.*

Resolution to be reported on *Monday* next.

EDUCATION OF FACTORY CHILDREN BILL—[Bill 28.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Baxter.*)

Mr. FERRAND said, he understood that, practically, the operation of the Bill was confined to Scotland. Nevertheless, he viewed it with great alarm, for it was introducing the thin end of the wedge for the purpose of upsetting the Factory Act, which limited the labour of children to ten hours a day. The Bill proposed to extend the labour of children in factories in Scotland to ten hours and a half a day on three days in the week. As it was entitled a

Bill for the Education of Factory Children, he had no hesitation in saying, without meaning offence to the hon. Member for Montrose (Mr. Baxter), that it had been introduced under false pretences. He had received a letter from a manufacturer, who had done more, perhaps, than any other man in England for bettering the condition of factory operatives, in which the writer characterized the Bill as a barefaced attempt to make children of eight years and upwards work on alternate days ten hours and a half, while the law limited them to ten hours. It had been stated, that the hon. and learned Member for Oldham (Mr. Cobbett) had agreed to withdraw his opposition to the Bill on condition that it should be confined to Scotland. Nothing could well be more suprising than that the hon. and learned Member, for whom he had a high respect, should consent to allow the working population of Scotland to have a burden placed on their shoulders which he would be the first to protest against in the name of the factory operatives of England. He hoped the hon. Member for Montrose would postpone the second reading until the public were made acquainted with the nature and objects of the Bill.

MR. BAXTER said, he believed that great advantages had been derived by all parties from the Factory Act, and he had not the slightest intention to interfere with it. The hon. Gentleman was labouring under a misapprehension as to the objects of the Bill, which he had not brought forward in the interests of the masters, but in consequence of certain communications which had passed between the Factory Inspectors and operatives themselves. The truth was, that owing to the lateness of the dinner-hour in Scotland, the half-time system could not be worked in that country. There were, consequently, a large number of children growing up in idleness and ignorance, who would be far better employed on alternate days, going to school the rest of the week, which was all that was proposed by this Bill. The existing evil could be remedied only in one of two ways—either by such a Bill as the present, or by passing an Act for altering the dinner-hour in Scotland, which was of course impossible.

MR. COLLINS hoped that the Bill would not be pressed at that hour (twelve o'clock), as it, in fact, altered the framework of factory legislation under a title which was calculated to mislead. He moved that the debate be adjourned.

MR. COBBETT said, he put on the paper last night a notice of an Amendment that the Bill be read that day six months, because he thought it a bad Bill. Practically speaking, the half-time children in England were only worked five or six hours. But in Scotland it appeared, from the arrangement as to the dinner-hour, they could not adopt that system; and it being stated that an alteration would be agreeable to the workpeople themselves, and was recommended by the Factory Inspectors, he was willing to withdraw his Amendment if the Bill were confined to Scotland. He thought, however, English millowners would have a right to complain of the Bill, and he hoped the hon. Member would either withdraw it or postpone it until there had been time to learn what was the general opinion with respect to it.

SIR GEORGE GREY said, the Bill did not provide for an increase of the hours of labour, but only for a fresh distribution of them, which had been strongly recommended in the Report of the Factory Inspectors. He did not know whether his hon. Friend would postpone his Bill; but if he did, he hoped that those Members who objected to it, and who had not, evidently, read the report of the Factory Inspectors, would in the mean time read it.

MR. CRUM-EWING joined in the request that the discussion should be deferred for some time.

MR. KINNAIRD said, the Bill had been brought forward in the light of an English Bill, and had not attracted that attention in Scotland which it would have done if it had been expressly confined to Scotland. He thought it would be better to postpone the Bill.

SIR FRANK CROSSLEY said, the difficulty in Scotland arose from the dinner-hour being from two to three o'clock, which was a most inconvenient time. He suggested that the hon. Member should bring in a Bill that an hour and a half be given for meals before two o'clock, which would obviate the difficulty.

MR. BAXTER said, he would comply with the wishes of his hon. Friend, and agree to postpone the debate till Wednesday week, the 18th.

Debate *adjourned* till *Wednesday* 18th March.

SELECT COMMITTEE ON INLAND REVENUE AND CUSTOMS ESTABLISHMENTS.

THE CHANCELLOR OF THE EXCHEQUER moved that Mr. Milner Gibson and Mr. Peel be discharged from further attendance on the Select Committee on Inland Revenue and Customs Establishments, and that Mr. Cardwell and Mr. Bagwell be added to the Committee.

MR. HORSFALL objected to the Motion, and thought the change proposed ought not to take place.

THE CHANCELLOR OF THE EXCHEQUER said, he felt surprised at the objection, and must persist in his Motion.

Motion *agreed to.*

Mr. MILNER GIBSON and Mr. PEEL discharged from further attendance on the Select Committee on inland Revenue and Customs Establishments:—Mr. CARDWELL and Mr. BAGWELL added to the Committee.

BAKEHOUSES REGULATION BILL.

On Motion of *Mr. Bruce,* Bill for the Regulation of Bakehouses, *ordered* to be brought in by Mr. BRUCE and Sir GEORGE GREY.

Bill *presented,* and read 1°. [Bill 54.]

House adjourned at a quarter after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, March 9, 1863.

MINUTES.]—SELECT COMMITTEE—Charging of Entailed Estates for Railways, *appointed,* and *nominated.*

BRAZIL.—OBSERVATIONS.

THE DUKE OF SOMERSET said, he had an appeal to make to the noble Earl opposite (the Earl of Malmesbury) in reference to a notice which he gave on Friday, that he would call the attention of the House to the case in dispute with the Government of Brazil with regard to the officers of Her Majesty's ship *Forte.* He (the Duke of Somerset) had received a communication from the noble Earl at the head of the Foreign Office, stating that the question had been referred to the King of the Belgians, who had accepted the arbitration, and that under those circumstances it might be inconvenient to enter into a discussion upon the subject at the present time.

THE EARL OF MALMESBURY said, he had no apprehension, considering the great ability and clearness of judgment of His Majesty the King of the Belgians, that His Majesty's decision would be influenced by anything that might be said in either House of Parliament; but as he understood from the noble Duke that the Minister for Foreign Affairs was anxious, in the interests of the public service, that he should postpone his observations on the subject, he had no hesitation in saying at once that he would do so. At the same time, however, he could not help expressing his surprise at the appeal, inasmuch as the Under Secretary for Foreign Affairs in another place had permitted himself, only three days before, to speak for a considerable time on the question, and to enter further into detail of the accusations against the Brazilian Government than appeared in the papers on their Lordships' table; having then added a new charge against the Brazilian Government, of having "manacled" the officers, a charge not anywhere mentioned in the papers before the House. But he could assure their Lordships, feeling what the noble Earl (Earl Russell) had said about the question being *sub judice,* he had not intended to give any opinion whatever as to which of the two parties to the dispute was right and which was wrong. It was perfectly evident to all their Lordships who had read the papers on the table that the unfortunate collision between Her Majesty's officers and the Brazilian police could not have taken place, and would not have taken place, but from the circumstance of the officers being in plain clothes. Looking at the question in a general point of view, and without reference to this particular case, he would press upon the noble Duke (the Duke of Somerset) the necessity of a reasonable observation of what he believed to be a most important regulation, and that was, that the officers should not be allowed to go on shore out of uniform. He did not desire that the rule should be pressed to an unwarrantable extent, so as to prevent officers who might be taking long journeys using the most convenient kind of clothing for the purpose; but he was sure that the noble Duke himself, with his knowledge of human nature and of the habits and feelings of young officers, who, having been confined a long time, were delighted to obtain a little liberty, must admit that these officers would be likely to have more respect for themselves—and, certainly, foreigners would have more respect for them—if they wore on shore the ordinary uniform of the service. On such an occasion as Saturday last, or great reviews, notice was very properly given that officers in Her Majesty's service would not be permitted to pass the lines, and that the police would not treat them as officers, unless they appeared in their uniform. The case against the Brazilian Government was that in the execution of their laws they offended the British navy. He did not say that we had not a right to be offended. All British citizens had a right to the protection of the Foreign Office wherever they might be ; but in this case it could not be held that the British navy had suffered an insult, seeing that the officers were not wearing the uniform of the navy at the time of the occurrence complained of ; and out of uniform they would have no legal authority even over their own men ashore. For these reasons he wished very much that the noble Duke would exercise his judgment and authority to prevent as much as possible what he was told was growing into a common custom in the navy—namely, permitting officers to go ashore in plain clothes.

THE DUKE OF SOMERSET said, he believed the rule was that our officers should always appear in uniform in those countries with which we had little intercourse, or in which any local disturbances or other cause rendered the wearing of uniform necessary ; but where, as had been the case in Brazil, the two nations were on the most friendly terms, officers when going into the country were permitted to go on shore without being in uniform. It was a matter in which the commanding officer of the station should be allowed to exercise his discretion, according to the circumstances.

THE EARL OF HARDWICKE said, he regretted to hear the latter speech of the noble Duke. No doubt, discipline, like everything else, was a fashion, and it must vary with the opinions of the day. The intention of uniform was not so much to dress a man up to look fine, as for the purpose of insuring a system of discipline over the men who wore it. If this were the case, he would put it to the noble Duke whether the wearing of uniform was not an important part of the discipline of the naval service which it was especially necessary to enforce in foreign countries. He regarded this as of very great importance. Before uniform was introduced and enforced it was no uncommon thing for men to throw away their muskets and run away ; and there was no knowing which side a man was. With regard to the police, of what use were they, except as secret spies, unless they were in uniform? How otherwise could they gain the respect of the multitude? When he was in the navy, for an officer to leave his ship without wearing his uniform was unknown ; to go over the side in a plain suit was a thing unknown. No doubt, when an officer went ashore and engaged a lodging he put on his plain coat ; but when he did so, he took the consequences. The printed orders of the service directed an officer to wear his uniform constantly, and never take it off except to go to bed. If the officer in command or the governor of a port thought proper to wink at a violation of the order, that was one thing; it was altogether another for the head of the navy to lay it down that it was usual for officers to go on shore without uniform.

THE DUKE OF SOMERSET said, he had only repeated what he had ascertained from officers in the service to be the practice ; but he could not say whether the statement referred to officers leaving the ship in uniform. He knew that a custom had for a long time prevailed for officers to leave their ships in uniform and change their dress when they got on shore, and he saw no reason to make the practice in this respect more strict than it had been for years past. He had found that on all occasions where the navy had been employed there had been no difficulty in preserving discipline, and the conduct of naval officers had been universally praiseworthy wherever they had gone on shore.

CHARGING OF ENTAILED ESTATES FOR RAILWAYS.

SELECT COMMITTEE APPOINTED.

EARL GREY rose to move that a Select Committee be appointed to inquire as to the expediency of extending the powers now possessed by landowners, to charge their estates with terminable annuities for the purposes of improvement, to the case of railways calculated to promote the value of their property. The noble Earl said, that he had no doubt he should be able to satisfy their Lordships of the propriety of the investigation for which he asked. Their Lordships were no doubt aware that some years ago, owing to the necessity for applying capital to the drainage of land, and the difficulty experienced by many owners of land in raising it, Parliament gave power to owners of land to borrow money for draining, building, and various other permanent improvements; and if it could be shown to the Inclosure Commissioners that the proposed improvements would add to the permanent value of the estate, to raise the money by way of rent-charge, which should be a first charge upon the estate. Very large sums of money had been raised under these powers, especially for drainage, and by these means a great addition had been made to the permanent wealth of the country, much employment had been found for the labouring classes, and great benefit had been conferred upon the landowners themselves. Nor had he heard that any abuses had arisen. The Inclosure Commissioners had, he believed, used the powers intrusted to them with so much judgment and discretion that no holders of reversionary interests or prior incumbrances had been exposed to loss or injury. That being the case, it had been proposed that this power should be extended, so as to enable landlords to raise money on similar conditions and subject to similar restrictions, for the purpose of constructing or promoting railways which might benefit their estates. He was induced to bring the subject forward in consequence of its connection with a railway in which he was not greatly personally interested, because it hardly touched any of his property, but which he believed would, if made, be of great advantage to his neighbours. The promoters of the Bill for that railway, which was now before their Lordships' House, had addressed queries to the owners and occupiers both of lands which would be affected by this line and of lands which derived benefit from existing railways. In all cases the answers had been that railway communication added very largely to the value of land. It benefited the land both by bringing to it manure, lime, coals, and other heavy articles, and by taking the produce away to market. The amount of increased value which was in this way conferred upon the land varied greatly, according to local circumstances; but the questions to which he had referred had been addressed to a considerable number of practical farmers, who spoke from their own experience, and none of their answers put the advantage so gained by the land at less than half-a crown an acre for arable land, and 6*d.* or 1*s.* for pastures. In some cases the increase was very much larger,—in one instance as much as 10*s.* an acre; but in that case the occupier of the farm was largely engaged in the cultivation of potatoes, which were forwarded by railway to Newcastle and London. What was proposed, therefore, was, that the owners of land should be enabled to take shares in railways which would benefit their estates to the extent of the increased value which it could be shown that their property would receive from the construction of the line. To explain how this would operate, he would put an imaginary case. Suppose it was ascertained that the value of property would be increased by a railway to the extent of £100 a year; in that case it was proposed that an owner of land should be enabled by granting a rent-charge on his property for twenty-five years, at the rate of £100 a year, to raise a sum which at such a rate it was ascertained would amount to £1,500. The manner in which the scheme would operate would be, that while he would, on the one hand, have a rent-charge of £100 a year upon his property, he would, on the other, be in the receipt of a similar amount in consequence of its increased value. So far he would be neither a gainer nor a loser; but then whatever dividend the railway might be able to afford on the shares for £1,500 which he would have taken, would be so much clear profit; and beyond that, at the end of the twenty-five years, the owner himself, or his successors, would have the advantage of possessing his railway stock free from all charge and incumbrance. It was further proposed that no such rent-charge as he had described should be settled on the land, following the analogy of the case of drainage, until the railway had been absolutely completed. The scheme, in his opinion, was, so far as it went, a reasonable one, and would be found to be of great advantage to landowners. The great motive in favour of its adoption was, that it was found that there was a certain degree of discredit attaching to railway property, very much owing, he thought, to the course which Parliament had pursued with respect to it, and the unsatisfactory nature of the tribunals to which railway regulations were submitted; the consequence of which was great difficulty in raising the necessary capital to construct a line which was not intended to pass through a great town or was not promoted by a great existing company. It often happened, however, that lines which were proposed to run through agricultural districts would, if carried out, be of the utmost utility; but the circumstances of their case were such, that unless such powers as he had indicated were granted, it was almost impossible to get owners of property to take shares in them to the extent which was desirable. Now, it appeared to him that where a railway was sought to be constructed for local objects, it might well be entitled to the support of Parliament, although it might not be promoted by a speculative attorney or engineer. Nor did he wish to disguise from their Lordships the fact, that the general inquiry which he advocated, with the view of deciding upon the value of a certain general principle, had reference to a Private Bill which lay upon the table. He, however, sought to press the matter upon the attention of the House mainly because he was of opinion that a Private Bill submitted to Parliament, which involved a general principle capable of general application, ought not to be left altogether to the discretion of a special Committee, to be sanctioned or disapproved according to the views of its Members. If it was desirable that landowners should have the powers which he had pointed out conferred upon them, that ought, he thought, to be done not by a particular measure, but by an Act of Parliament applicable to all cases. As the Motion which he was about to make had reference to a Private Bill for constructing a railway through Northumberland, which was now before the House, and of which he himself was one of the promoters, he should not propose that his own name should be included in the list of the Committee, if their Lordships should think fit to grant it. The noble Earl concluded by moving—

> "That a Select Committee be appointed to inquire whether it is proper that the Power already given to Land Owners to charge their Estates with Terminable Annuities, in order to raise Money for the Improvement of their Land by draining and building, should be extended, so as to enable them to raise Money on similar Terms for the purpose of taking Shares in Railways calculated to increase the Value of their Property: And further to inquire under what Conditions and Limitations such Power ought to be granted, if given at all."

LORD REDESDALE said, he should be the last person to seek to prevent the House from instituting an inquiry with a view to obtaining knowledge on any subject of public or private legislation. The noble Earl, however, had argued that what he proposed was the same principle as that which authorized the borrowing of money upon land for drainage purposes, but in truth the principle was a very different one. Another circumstance was that this power, in reference to railways, had never been asked for down to the present Session, when such power was sought in one instance only. Every line, therefore, in the kingdom had been made without the existence of any such power. It seems to him certain that no man who held landed property in fee would be likely to be disposed to make a charge upon it in favour of railways; and if the owners in fee would not exercise the privilege, as he believed they would not, it seemed to him extremely imprudent to give power to the owners of settled estates to take up shares in railways. There was no kind of property upon which it was less desirable to give a power to make charges than settled estates, and especially since the imposition of the succession duty. In general, five years were allowed to railway companies to finish their works, and where the companies were not rich the period was often extended. The owners of settled estates during those five years would have to find the interest of the money without any chance of benefit; and if any one of them died in the first year, his successors would have that additional burden, besides having to meet the charge for succession duty. The case of railways was totally different from the case of drainage. Railways were very seldom made within the estimates; but the cost of drainage works could be accurately and easily ascertained. When the drainage was done, the return was immediate; and although tenants who had leases, knowing the exact advantage, would consent to pay an increased rent for drainage, he was confident they would not pay a single shilling more for the vague chance of benefiting by a railway being brought near their holdings. He thought that at all events the matter should be dealt with by a public Bill, and not by private legislation. If railways were promoted for mere speculative purposes, they ought to be rejected; but if they were sanctioned because of their public utility, the same privileges should be granted to all without any distinction. Some drainage companies had powers different from others, but he was not at all sure it would not be expedient to pass a public Act with regard to those works, placing every charge for drainage upon precisely the same footing. He should not oppose the appointment of a Committee; but in his opinion the proposal was mischievous and impracticable.

EARL GRANVILLE said, the speech of the noble Lord was not at all in favour of the principle contended for by the noble Earl who originated this discussion; but having heard diametrically opposite opinions expressed by the two noble Lords, he was induced to think it was a very proper subject for inquiry. He had not himself formed any opinion whether the proposition was desirable or not; but it seemed to him, that while it was most important to abstain from overburdening with charges the successors to settled estates, they ought, whenever it was possible, to do anything which would remove some of the disadvantages connected with settled property. It certainly was very desirable that that subject should be inquired into by a Select Committee of their Lordships. Whether the question was one for private legislation, or whether it ought to be dealt with in a general public Bill, was a point for the Select Committee; and if it admitted the principle contended for by the noble Earl, the mode of carrying it out might very properly be settled by the Committee. He must say, he thought it would be a great public disadvantage if the noble Earl (Earl Grey) abstained from serving on this Committee. The fact of his being interested in promoting a Railway Bill was an in adequate reason why the public should be deprived of his services.

EARL STANHOPE also hoped that the noble Earl would consent to serve on the Committee. His principal object in rising, however, was to suggest the expediency of inquiring into a subject akin to this but of much larger scope—the power of trustees in dealing with monies vested in them. He would not undertake to say that the law on the subject required amendment, but it certainly required consideration.

THE LORD CHANCELLOR said, that an Act of Parliament had been passed last Session, which gave large powers to trustees in dealing with trust monies. It was an often-quoted saying, that high interest meant bad security. The rate of interest obtained by vesting in the funds was the standard of good security. Some additional interest might be gained by investing in mortgages, but, generally speaking, he should very much deprecate giving extended powers of investment to trustees charged with the duty of providing for persons who could exercise no judgment of their own. With regard to the inquiry desired by the noble Earl, there would be great difficulty in dealing with the speculative abstract question whether a railway, not actually passing through particular land, could be said to conduce to the value of that land. He would be sorry to see any such matter made the subject of inquiry before a Committee; and he could not even see his way clear to its being made the subject of judicial inquiry with any amount of security or satisfaction in the result. Still, he should be very glad if the proposed Committee were appointed. One evil often came before the courts which was of a very serious character. A landowner succeeded to an estate as tenant for life; he found the farm buildings in a state of great dilapidation, and yet he was unable to raise money to make the necessary repairs. He earnestly hoped that the result of the inquiry would be, not to allow the general principle of the law to be broken in upon by special powers granted to particular companies for the prosecution of a speculative scheme, but that it would gather together all the different powers which it was desirable landowners should possess, and embody them in some general public Act. At present the law was in a most lamentable state of confusion. Drainage Company A had one set of powers; Railway Company B had a different set—all granted by private legislation, and without the extent or application of those powers being brought in a proper manner under the consideration of Parliament.

Motion *agreed to.*

Select Committee *appointed:*— And the Lords following were named of the Committee:—

E. Devon.
E. Hardwicke.
E. Carnarvon.
E. Romney.
E. Grey.
E. Minto.
E. Cathcart.
E. Stradbroke.
V. Eversley.
L. Wodehouse.
L. Stanley of Alderley.
L. Llanover.
L. Taunton.

RECEPTION OF THE PRINCESS ALEXANDRA—POLICE ARRANGEMENTS.

THE EARL OF DALHOUSIE: My Lords, I desire to call the attention of your Lordships and of Her Majesty's Government to a matter that deserves the earliest and most serious consideration. In the general rejoicing connected with the reception given to the Royal lady who landed on our shores on Saturday it is painful to think that any circumstance should have occurred to create just animadversion; but I cannot help thinking, from what I have read in the journals of this day, that such is the case; and from having held for six years a position of responsibility in the Home Office, I conceive myself not unwarranted in drawing the attention of your Lordships and of the Government to the facts. So far as the earlier part of the procession traversed ground with which the administration of the Metropolitan Police is concerned—that is, from the Bricklayers' Arms to London Bridge—all went smoothly, and, if I may use the expression, "merry as a marriage bell;" but on the arrival of the procession at London Bridge there ensued, as I read in all the public prints, a scene of confusion, and certainly a delay, which ought not to have taken place, and would not have taken place if proper precautions had been observed. I perceive that on the centre of London Bridge the Royal carriages were delayed for no shorter period than a full half-hour; that again a greater delay took place opposite the Mansion House; and that there was such a scene of confusion that the populace were permitted to break through all regulations, and even to approach so near the Royal party as to lay hands upon the carriages in which they were seated. Such is the statement given in the newspapers. I hold this to be an extremely indecorous proceeding, and I attribute it entirely to the want of a proper force there; and I am sorry to say that I must attribute that to a feeling of false pride and self-sufficiency on the part of the authorities of the City of London, who, having had offered to them the aid of the Metropolitan Police; declined it on the ground that they were able to perform this duty by means of their own force. That has been proved to be a very great mistake; and it is right that steps should be taken so that such a mistake shall not occur again. On the occasion of Saturday the whole people were striving who should do most honour to the Royal personages who were then passing through their streets. It was an occasion of the greatest joy, and every one vied with the other to show hospitality and honour to those distinguished persons; and I say it is the duty of the Government to see that the City is permanently provided with a police force adequate, upon occasions of joy as well as of disturbance, to maintain public order and decorum. I remember that some time ago a proposition was made for having but one police force for the whole metropolis; but circumstances arose which prevented so beneficial an arrangement being carried into effect. I trust that the circumstances that occurred on Saturday will so convince my right hon. Friend at the head of the Home Department of the necessity of having but one police force for this great metropolis, that he will lose no time in introducing a measure for that purpose. There can be no more opportune time for so doing, for the City Commissioner of Police has just died, and no new appointment has yet taken place. I ask no question of Her Majesty's Government on the present occasion, but I simply call their attention to the facts that occurred in the streets on Saturday in that part of the metropolis called the City of London; and I have no doubt, when they consider the whole matter, that they will have little hesitation as to what measure should be introduced.

The Duke of NEWCASTLE said, that his noble Friend the President of the Council (Earl Granville) had left the House, being no doubt unaware, as he was, that his noble Friend was going to address their Lordships. He (the Duke of Newcastle) happened to be in this position, that he had not had time to read in the papers one word of the accounts of what took place on Saturday, and therefore he was quite unaware of the circumstances. He certainly had heard that there was some confusion near St. Paul's, but that was al that had reached his ears in reference to disturbance or interruption. He could not, therefore, be expected, in fairness to the parties concerned, now to answer the observations which had been made; but he had no doubt that his right hon. Friend the Home Secretary would pay proper attention to a subject of so much importance. The circumstances of Saturday were so singular that they could not be expected to occur again for many years; but his noble Friend was aware that the question of the amalgamation of the two bodies of police was not now brought forward for the first time; and, speaking for himself, he must say he regretted that feeling of independence on the part of the City which had hitherto prevented it being carried into effect. He did not think that the City police could be so efficient to perform its duty as if it formed part of an amalgamated body; but that was a matter for the Home Secretary, who would certainly look into it.

THE EARL OF HARDWICKE said, he understood that the noble Earl who had introduced this subject did not intend in the smallest degree to attribute the disturbance to any fault upon the part of the people. Nothing could have been more kindly than their feeling on this occasion. The fact was, that there was a large space opposite the Mansion House which was entirely filled with people, who, being anxious to see, pressed towards the Royal carriages. Everybody knew that the pressure from a column of men set in motion was such that hardly any power could resist it, and it was sure to break down all ordinary resistance. He understood that even one of the cavalry escort was so pressed upon that his horse was lifted up. All this pressure arose from the loyal and affectionate feeling of the people, and from their strong desire to see the Princess, and he doubted whether any amount of police force could have kept back the masses at the Mansion House.

THE EARL OF MALMESBURY observed, that barriers were usually put up to keep a crowd back, and also to protect the people themselves, when any great assembly was expected; but he believed that at the spot in question there were no barriers. If it had not been for the excellent feeling displayed by the people, some dreadful accident would almost certainly have happened.

LORD LLANOVER said, that during the time he was First Commissioner of Public Works it was his duty to recommend a measure for the better management of the metropolis, and to inquire into the state of the existing metropolitan institutions; and one of the matters brought most seriously before him was the inconvenience occasioned by the double jurisdiction of the police. Various Governments had had it in contemplation to adopt some plan for amalgamating the police, and for many reasons this would, in his opinion, be a most desirable object. The City of London was but a mere speck in the map of the metropolis, and contained less than 130,000 inhabitants out of a population, within the metropolitan limits, of nearly 3,000,000. The jurisdiction of the metropolitan police inclosed that of the City police, and it seemed an absurd anomaly to have these two separate authorities. If Sir Richard Mayne had had the whole management of the police on Saturday, he was quite sure that order would have been as well kept within the City as it was from the Bricklayers' Arms to the foot of London Bridge, and from Temple Bar to Hyde Park Corner. Being at the window of Apsley House on Saturday, he saw at Hyde Park Corner a mass of people quite as thick, he was informed, as any collected in the open space opposite the Mansion House. So dense was the crowd that it seemed almost impossible to open a passage through it. By an order issued by Sir Richard Mayne, no carriages were allowed to enter there after three o'clock. At that time all carriages were stopped and turned back; and in about a quarter of an hour a space was cleared for the procession, and not a single person attempted to cross it. The City authorities were not used to deal with such emergencies, nor had they the same amount of force at their disposal; but on this occasion they refused the offer of a portion of the Household Brigade and of the metropolitan police, and said they would manage the City line of the procession with their own people, and in consequence of this determination to reject all extraneous aid, the greatest confusion had ensued, and most serious inconveniences had occurred. He thought this would be a good opportunity for the Government to consider whether an amalgamation of the police might not now be effected, so that one body might henceforth have jurisdiction over the whole metropolis.

House adjourned at half past Six o'clock,
to Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, March 9, 1863.

MINUTES.] — SUPPLY — Army Estimates — *considered* in Committee.

WAYS AND MEANS—*considered* in Committee—Resolution, Consolidated Fund (£10,000,000.)

RESOLUTION IN COMMITTEE—*reported*, Customs Acts (Tobacco Duties).

PUBLIC BILLS—*Second Reading*—Salmon Exportation [Bill 42]; Naval Coast Volunteers Act Amendment (*Lords*) [Bill 55]

Committee—Tobacco Duties [Bill 21]; Bleaching and Dyeing Works Act Amendment [Bill 29].

Report—Tobacco Duties [Bill 56], and *re-committed*.

Considered as amended—Post Office Savings Banks [Bill 22].

Third Reading— Malt Duty [Bill 37]; and *passed*.

ENGLISH POLICE IN POLAND.

QUESTION.

Mr. HENNESSY said, he would beg to ask the Secretary of State for the Home Department, Whether, after the state of siege had been proclaimed in Poland, the Russian Government applied to Her Majesty's Government for the services of two English Detectives for the instruction of the Russian police in Poland; and whether, in compliance with that application, Her Majesty's Government sent Superintendent Walker and Inspector Whicher, of the A division to Warsaw, during the months of August and September, 1862?

Sir GEORGE GREY: Sir, in answer to the first Question of the hon. Gentleman I have to state that neither immediately after the state of siege had been proclaimed in Poland nor at any other time did the Russian Government apply to Her Majesty's Government for the services of English detectives for the instruction of the Russian Police in Poland. But that is not the answer which I wish to give to the hon. Gentleman, for it would not be a fair and complete one. I have to state, in answer to the second Question, that two officers, the Superintendent and Inspector named, did go to Warsaw in the month of August last under the circumstances and for the purpose which I will briefly state; and when I have made the statement, perhaps the hon. Gentleman will be satisfied that they did not go for the purpose which is rather implied than expressed in the terms of his Question. I may be allowed first to state that I have found few things have attracted the attention of intelligent foreigners in this country more than the maintenance of public order, and the protection of life and property, by means of a police force exclusively civil, unarmed, and acting on all ordinary occasions without any assistance from a military force—each member of the police force acting under regulations authorized by law, and being amenable to the ordinary tribunals of the country for any excess of authority or any violation of the law which he may commit. The feeling of surprise which has been excited among foreigners by the observation of these facts has led from time to time to applications from the representatives of foreign Governments for full information as to the organization of the police, the principles upon which it is established, and the details of its management. That information has in all cases been freely given, and without reserve, as we have no secrets in our police system, the object of the applicants being, as was understood, the improvement of the police in foreign countries by their assimilation, as far as circumstances will admit, of their system to our own. In the month of July last I received a private letter from the Russian Ambassador, in which he informed me that the Grand Duke Constantine had, during more than one visit to England, been particularly struck with the admirable results of our police system, and with its character and management so far as he was able to form an opinion. He further stated that the Grand Duke, having been recently charged with the administration of the affairs of Poland, was desirous to effect a reform in that branch of the public service in Poland by placing it as nearly as possible on the system of the English police, with a view at the earliest period practicable of putting an end to martial law which was then in force in Poland. For that purpose the Ambassador therefore requested that, not a detective, but an intelligent officer of the metropolitan police might be put into personal communication with the local authorities at Warsaw, with a view of giving the fullest information as to the organization of the English police, in order that, if possible, the desire of the Grand Duke Constantine might be carried into effect. I thought that desire of the Grand Duke was honourable to him; and if it could have been accomplished, it would have conferred one of the greatest boons on the people of Poland. With that feeling, I informed the Chief Commissioner of Police of the contents of the letter I had received from the Russian Ambassador; and, with my sanction, he complied with the request by sending these officers to Warsaw for the single purpose of communicating to the local authorities there that information which had been repeatedly given to every Government that had applied for it. The Commissioner, acting in accordance with a general rule, thought it desirable that instead of one officer two should go. They went, taking with them the forms of proceeding and the regulations for the management of the police which exist here, which they communicated to the local authorities at Warsaw, with whom they were placed in communication. They gave such personal explanations on the subject as they were called upon to give. Having done that, their duty was performed, and they returned to England from Warsaw as soon as they were enabled, one of them having been seriously ill, to undertake the journey. I am only sorry to say that the object with which the information was sought and given was not attained, for the authorities of Warsaw came to the conclusion—unfortunately, I think—that however well adapted our police establishment might be to a country like England, the materials did not at present exist for applying it to Poland.

Mr. AYRTON: — The right hon. Baronet has not stated whether this was done before or after the knowledge came to the Government of the breaking-out of the insurrection in Poland.

Sir GEORGE GREY:—It certainly was long before the recent events occurred. The letter was dated in July, and the officers went on the 6th of August.

Mr. HENNESSY said, he wished to know whether the right hon. Gentleman will lay upon the table of the House a copy of the letter from the Russian Ambassador making the application? He would also ask the Under Secretary for Foreign Affairs whether Her Majesty's Government will lay upon the table two Despatches received from the Consul General at Warsaw describing the atrocities which have been committed by the Russians?

Sir GEORGE GREY: The letter from the Russian Ambassador was marked confidential, and, without his permission, I could not lay it on the table. I have no knowledge of the Despatches referred to.

Sir HARRY VERNEY said, he wished to ask whether the instructions given to the police would be produced.

Sir GEORGE GREY: There were no written instructions given to the police. The object for which they were sent was clearly defined and understood, and I have no doubt they performed their duty strictly within their instructions.

THE VOLUNTEER ACT.—QUESTION.

Mr. ARTHUR MILLS said, he rose to ask the Secretary of State for War, Whether it is the intention of the Government to introduce any Bill during the present Session for the Amendment or Repeal of the Volunteer Act, 44 *George* III., c. 54?

Sir GEORGE LEWIS, in reply, said, he had mentioned that it was his intention to introduce, on as early a day as might be convenient, a Bill to amend and consolidate the laws upon this subject.

EXAMINATION OF ACTING TEACHERS.

QUESTION.

Mr. ADDERLEY said, he wished to ask the Vice President of the Committee of Council on Education, Whether he has any objection to lay upon the table a statement of the Examination to be passed by acting Teachers in order to obtain a certificate?

Mr. LOWE said, in reply, that he might inform the right hon. Gentleman that the subjects of examination to which acting Teachers were subjected before they could obtain their certificates, embraced reading, writing, and arithmetic as far as Practice; the leading facts of geography, with a more detailed knowledge of the geography of the British Islands; the leading facts of British history, and, in the case of the Church of England schools, a knowledge of the Bible and Catechism. He had no objection to lay the Papers, relating to the examination, on the table.

LICENCES FOR THE SALE OF BEER.

QUESTION.

Mr. NORRIS said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to bring in a Bill during the present Session to alter and amend the Licensing Act, 9 *Geo.* IV., c. 61, or the Beer Act, 4 & 5 *Will.* IV., c. 85, so as to place Retailers of Beer under each of these Acts on an equal footing as to the cost of Licences?

The CHANCELLOR of the EXCHEQUER said, he understood his hon. Friend to refer to the state of the Law under which beer was sold by persons who sold beer exclusively, and who obtained licences at two different prices. In the one case the licence had been obtained under the Beer Acts at one price; and in the other a licence had been obtained originally for the sale of spirits as well as beer, and the spirit licences being dropped, the beer licence was retained at another price. This state of things appeared to be anomalous, and the Government would be glad to avail themselves of an early opportunity of bringing in a Bill to amend the Law in that respect.

THE BUDGET.—QUESTION.

Mr. THOMSON HANKEY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is his intention to bring on the Budget before Easter; if not, whether it will be brought on upon an early day after the Easter recess?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have no intention to submit the Budget to the House before Easter, but it will be my desire to select the earliest day after Easter that may be convenient.

ARMY—STAFF APPOINTMENTS.

QUESTION.

SIR JOHN TRELAWNY said, he wished to ask the Secretary of State for War, Whether there is not an Order of the Horse Guards still in force according to which all Officers on the Staff are only allowed to hold their appointments for five years, and whether at this moment there are not three Officers holding appointments in contravention of that rule?

SIR GEORGE LEWIS said, the general rule was as the hon. Baronet had stated, but in some exceptional cases it was not strictly enforced.

SIR JOHN TRELAWNY said, he wished to ask, whether the rule applied to such appointments as that held by the Duke of Cambridge?

SIR GEORGE LEWIS said, the appointment which the Duke of Cambridge held was not considered a staff appointment, to which the rule applied.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TRANSPORTATION AND PENAL SERVITUDE.

ADDRESS MOVED.

MR. ADDERLEY rose to move an Amendment—

> "That an humble Address be presented to Her Majesty, thanking Her Majesty for having issued a Commission of Inquiry into the operation of the Acts relating to Transportation and Penal Servitude, and into the manner in which sentences under the provisions of those Acts had been carried out, and praying that, pending that inquiry, the conditions on which any remission of punishment, or Licences to be at large, are given, may be strictly enforced according to the intention of those Acts."

He said, that before the House proceeded to the discussion of the Army Estimates there was a prior question to consider, and that was, the personal security of the people at their own doors. Of what avail a costly regular army, if the police could not secure the inhabitants of this metropolis from being throttled and robbed in the streets? The Home Secretary had just told the House that our police were the envy of the world; but only a few months ago—during the last autumn—it was not safe for any gentleman to walk through the streets of London after dusk. It had been said that the death of a railway director in a collision was the best means of procuring reform of railway regulations; and as the garrotters last autumn fortunately selected a Member of that House as their first victim, attention had been strongly drawn to the acts of violence which were perpetrated in the streets. Upon this hint, *Punch* warned garrotters to be more cautious in future, and especially to avoid a Secretary of State for the Home Department. He held in his hand a petition from the Bristol Association for the amendment of Convict Discipline. The petitioners stated that they had heard with satisfaction of the appointment of a Commission on the subject of the discharge of men on tickets of leave; but that probably, while the Commission was inquiring, more than 2,000 criminals would be discharged with tickets of leave during the present year. The outcry raised on this subject last autumn was not confined to the metropolis, but was universal throughout the country—it was universal, and so loud as to compel Ministers either to action, or to an active avoidance of action; and of these two alternatives they selected the last, and referred the matter to a Commission. There was a good deal for a Commission to inquire about; but, in the mean time, he asked the House to press the Government to do that which they ought to have done at once—namely, to put the existing law in force. The outbreak last autumn was not unprecedented, but appeared to be a matter of periodical recurrence in this country; not on the part of an influx of new criminals, but generally on the part of old criminals, who having tasted what was called punishment, had found it so wholly devoid of terrors that when the opportunity recurred they recommenced their course of crime with only greater audacity. No one could tell whether the new Commission would take a long or a short time to make its Report. If it should be a long time, was it to be allowed that in the mean time thousands of criminals should be discharged in this country upon tickets of leave, the conditions of which he could show were never carried out, and which had, in fact, become nothing but a sham and delusion? If, on the other hand, the Commission should only take a short time to report, the argument was a thousand times stronger, that before the Report might lead to an alteration of the law, at all events the existing law should be properly tried, and that a needless repetition of changes should be avoided. The cause of the outbreak of crime to which he had adverted was the laxity of penal administration, rendering criminals more audacious than ever; and considering the powers with which the Ministers were invested by the law, he might say that they knew themselves to be the primary cause of that outbreak, and that they needed to do little else but stand out of the way of the existing law and let it take effect. Transportation was for a hundred years perseveringly looked on by this country as the main expedient for secondary punishment next to death, the *proxima morti pœna;* but during that time repeated experiments were made and successive modifications effected, until at last the sentence of transportation became wholly unintelligible, not only to the population, but to the Judges, and in its original sense practically became impossible. In 1853 an Act was passed, substituting penal servitude for sentences of less than fourteen years transportation, and licences to be at large, which were commonly called tickets of leave, were first introduced into our system as a mode of gradual discharge from punishment under check and control. A Select Committee of that House, presided over by the late lamented Mr. Baines, passed sixteen Resolutions, and in 1857 the last Act on the subject was passed, suppressing altogether the sentence of transportation, and substituting entirely for it penal servitude, accepting the recommendations of the Committee, and the system of licences under conditions and guarantees. These two Acts of 1853 and 1857 applied equally to England and Ireland; but they had been differently carried out in the two kingdoms. He would not enter into any comparison of the two administrations. He wished simply to point out the undoubted fact that the practice in England was utterly at variance with the law. Every Member of the House would admit that it was a most serious thing that the language of the criminal law should be at variance with the practice. That state of things was quite sufficient to account for any increase of outrage and crime, and it was enough to make the people tremble for the security of their lives and property. The law said that a man guilty of a crime just short of the penalty of death should be subjected to penal servitude, and under that sentence might ultimately be removed out of the country; or, if not—and that was what occurred in the great number of cases—that he should after imprisonment, in the first place, for a rigid unremittable term, varying from two years and a half to nine years, afterwards be liable to a further remissible term, which was capable of being reduced from one-sixth to one-third by the good conduct of the criminal while in prison. The conditions upon which that remission was given rested with the Secretary of State; and it would be easy to show that neither the remission nor the conditions upon which the remissions had been granted had been carried out by the Home Secretary at all in accordance with the intention of the Act, but rather in direct contravention of it. In speaking of the Home Secretary he wished it to be understood that he was not making any personal attack, but was dealing with the system of the Department in this matter. The intention of the Act might be gathered from the Resolutions of the Committee which it embodied, and it was, that when a sentence was remitted, it did not then terminate, but was only suspended during the good behaviour of the released prisoner. That suspension of punishment was to be granted on a guarantee of past good conduct, and a certain test of labour, which the prisoner might perform in prison. It also could be cancelled by the same discretion which granted it. Nothing could be clearer than the meaning of the Act, which was based upon the 5th, 12th, and 16th Resolutions of the Select Committee in 1856, which stated distinctly that the remission should be a provisional abridgment of the second part of the term of imprisonment, the first part being rigid and incapable of abridgment; and that such abridgment should involve the sentence being still held over the head of the criminal. The practice, however, during the first few years after the Act of 1853 was passed, was to turn loose all sorts of prisoners, good, bad, and indifferent, at the end of the *minimum* period of incarceration, on the assumption that they had all behaved well and were all fit to receive the proposed conditional liberation to its utmost extent. He could not conceive a more direct and complete contravention of the law than such a practice as that; and he was sorry to find that even down to the present day it was, to a large degree, continued. The latest Returns showed that the proportion of convicts who were discharged at the end of the *minimum* term was so large and regular, as to preclude the notion that the test of industry and good conduct was really applied. He did not wonder under such circumstances at the general misunderstanding of what was implied by a "licence." The word was equivocal, like the old phrase "licensed to be drunk on the premises," and was capable of a very different interpretation from that intended. The reckless manner in which licences had been granted had rendered the precautions of the legislature a farce, and the sentences of Judges absolute lies. The conditions on which licences were to be held also, had been, and were still, not fulfilled. Endorsed on the ticket of leave was a condition which distinctly stated that if the holder were found consorting with bad company, or were suspected of pursuing criminal courses, he would be liable to be sent back to prison to finish the full term of his original sentence, without any fresh conviction. In point of fact, however, the practice was quite the reverse, for down to the present moment a ticket of leave was not cancelled until the holders had committed a new infraction of the law. The Returns from Wakefield and other places illustrated that feature of the system in a very striking manner. Sir Joshua Jebb, at the Social Science Congress of 1862, had himself stated that the Returns prepared by the direction of the Home Secretary showed that out of 300 ticket-of-leave holders known to the police, about a half were pursuing criminal courses. [SIR GEORGE GREY: That was a mistake.] Sir Joshua Jebb further stated, that upon the Return being made, the Home Secretary directed that the holders of licences should be informed, that if they continued to pursue a criminal course, their licences would be revoked; and that after the expiration of a month another Return was ordered to be made, but not one of the ticket-of-leave holders could be found. In England, it seemed that a fresh infraction of the law was always waited for, before the cancelling of a licence. Without going into a comparison of the Irish system with the English, he would only call attention to the fact, that, besides conditions being enforced, the conditions under which licences were held in the former case were much more stringent than in the latter; and yet, in adopting that stricter course, the Irish Government had only followed out the recommendations of the Committee of 1856. Every ticket-of-leave man in Ireland was placed under the surveillance of the police, to whom he had to report himself once a month, failing which a warrant issued for his re-capture. General Cartwright, a high authority on such a subject, had declared that there was no reason why the same system should not be introduced in England. Moreover, a licence could not be obtained in Ireland until a convict had gone through not only the stages of punishment enforced in England, but an intermediate stage besides to which there was no parallel in the sister country. But he did not intend to propose the addition of a single word to the endorsement on a ticket of leave. He knew, that if he were to propose anything new, the Government would at once suggest another inquiry. He simply wanted that the House should press the Government, pending the inquiry now in progress, to put the existing law in force. There could be no doubt, as he had shown, that the recent extraordinary outbreak of crime was due, not only to the confused state of the statute-book, but also to the lax state of penal administration and the lenity of prison discipline. A Committee of Inquiry had been appointed on that last subject in another place. It really seemed as if a Royal Commission and a Committee of Inquiry were two wet blankets held up by the Government in the face of every man bold enough to propose any practical amelioration either of the law or of the practice. He would even abstain from asking the Government to carry out the existing law if he saw any intention on their part to do so. The steps recently taken by the Home Office showed, on the contrary, an intention still further to depart from the law. A Home Office circular had been sent even after the Commission was appointed to all the Judges, informing them that in future there was to be no remission of punishment to men sentenced for the second time to penal servitude. That circular, at first sight, seemed to indicate a tendency towards a more stringent carrying out of the law; but, in truth, its real tendency was precisely the reverse, much as it had pleased a great many Chairmen of Quarter Sessions. It would have no effect whatever on the length of sentences; the only difference it could make would be that in the worst cases—cases of second convictions for serious crimes—the discharge, whenever the sentence ended, would be given without any of the checks and safeguards supplied by police supervision. The second step volunteered by the Home Secretary pending the inquiry by the Commission would prove equally ineffective. Finding the country to be very anxious that something in the nature of police supervision should be exercised over persons having licences, he had directed that prisoners should be discharged only from Milbank, and in the presence of officers of police. Such a kind of police parade, if it deserved the name of supervision at all, would have all the evils of *espionage* without a single practical advantage. The police could not retain a knowledge of all the prisoners whom they might see discharged from Milbank; but every discharged prisoner would fancy that the police were always dogging him, and the effect upon him could not fail to be unfortunate. Another circular had been issued from the Home Office, calling upon the mayors of boroughs and Chief Superintendents of Police, to make a return of all convicts discharged on tickets of leave residing within their respective districts. It was quite impossible that such a return could be made. Mayors and police Superintendents did not possess the requisite knowledge, nor could they obtain the desired information even from the prison authorities. It was much to be regretted, that in the Cabinet itself, no clear understanding seemed to exist as to what new regulations, if any, were being made. Not many days ago Lord Derby asked in another place, whether there were any new regulations issued. Earl Granville replied in the affirmative. On the same evening the Home Secretary stated in that House that there were no new regulations issued. The contradiction arose, he believed, from several operations in addition to those already mentioned having been suggested by the Home Secretary, but having been deferred. Those alterations extended to impoverishment of the dietary and other internal arrangements of prisons. He had shown that the law and the practice were at variance in England, and that the present state of things was well calculated to produce alarm; that a Commission might find much to inquire into, but that the Government were playing fresh tricks all the while they were inquiring, and he thought he was making a moderate request, when he asked the House to agree to address the Crown for a stoppage of further experiments, and an enforcement of the existing law at least till the Royal Commission reported.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, thanking Her Majesty for having issued a Commission of Inquiry into the operation of the Acts relating to Transportation and Penal Servitude, and into the manner in which sentences under the provisions of those Acts have been carried out; and praying that, pending that inquiry, the conditions on which any remission of punishment, or Licences to be at large, are given, may be strictly enforced according to the intentions of those Acts,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir GEORGE GREY said, he thought it would be extremely inconvenient that the House should agree to the Motion of the right hon. Gentleman. The right hon. Gentleman proposed that they should tender their thanks to Her Majesty for appointing a Commission of Inquiry; and then to take one important branch of the subject referred to that Commission out of its hands, without waiting till it had had fair time to finish its labours. The right hon. Gentleman had spoken of robberies with violence having been very frequent in the metropolis during the last six months, and had stated that the manner in which the law was administered against their perpetrators gave them such comparative impunity that no man's life or property would be safe. He would not now dispute with the right hon. Gentleman as to the cause of these crimes, though men quite as competent to judge did not agree with him in attributing them to the lax administration of the law. He would simply say, in justice to the police of the metropolis, that the measures they had taken, which it would not be very prudent to explain, aided by the efficient administration of the law by the Judges, had led to the apprehension and conviction of the offenders, and had put a stop to these outrages. The House would shortly be put in possession of the Report of the Royal Commission, which he believed would tend to correct many of the misconceptions of the right hon. Gentleman. As the Commissioners were still sitting, he would not attempt to follow the right hon. Gentleman through all the points he had raised. Had it not been so, he should have thought it his duty to explain much more fully than he now proposed, the way in which the law was administered. For his own conduct in administering the law he wished to shrink from no responsibility; but as the present system had been administered under five successive Secretaries of State, he thought the right hon. Gentleman might be more diffident in asking the House to endorse his opinions. The right hon. Gentleman was under a total misapprehension in regard to the Act of 1857. It was the Act of 1853 which substituted for shorter sentences than fourteen years sentences of penal servitude, leaving it in the option of the Judge to pass a sentence of transportation or of penal servitude; and that statute authorized the Crown, in respect to either of those sentences, for the first time to grant licences to be at large to persons convicted of offences so punishable, those licences to be revocable on such conditions as the Crown might prescribe. The Act of 1857 did not refer at all to those licences. What it provided, following out the recommendation of the Committee of 1856, was that shorter sentences than seven years, formerly the *minimum* term of transportation, might be passed, and that sentences of penal servitude might be passed of not less than three years; and the result had been that the great majority of sentences of penal servitude since 1857 had been for three, four, or five years. But he was at a loss to find in these statutes any enactments that convicts released either absolutely or on ticket of leave should be placed under police surveillance. The conditions on which the licences were to be revoked were left entirely to the discretion of the Ministers of the Crown. The right hon. Genleman was quite mistaken in supposing that it was the practice immediately after 1857 to give unconditional remissions of punishments, and that therefore the public had been injured. The endorsement on the licence stated that the holder, though not actually convicted of another crime, was liable to be sent back to prison for the whole of the unexpired portion of his sentence if he associated with thieves or led a disorderly life. The question of the enforcement of these conditions was one which was under the consideration of the Commission. The whole difficulty of the case lay in this:—That there were no means of instituting a judicial inquiry into the conduct of such a man, unless he were positively charged with a specific crime. The conviction for any offence, however small, of a man holding a ticket of leave was taken as indisputable proof that the condition on which he received his licence had been violated, and the licence was accordingly revoked. No doubt, there were some instances in which, notwithstanding conviction for some further offence, the licence had not been revoked; but those were chiefly cases in which the punishment for the second offence exceeded the unexpired portion of the previous sentence. Where, too, the new offence was not of a sufficiently grave character to indicate a return to the criminal class—as, for example, hawking without a licence, bastardy cases, and the like—the licence was not revoked; but in all other instances—even where the second charge was drunkenness and assault—it was taken away, and the holder sent back to prison. There had been many instances in which, without the actual commission of any new offence, but yet where there was enough evidence to show that the ticket-of-leave holder was associating with thieves or relapsing into criminal courses, the licence had been withdrawn. But the difficulty was, as he had said, in obtaining clear proof on that point without a judicial inquiry. He thought the House would not like to pledge itself to an opinion that licences should be revoked without proof of any kind, but on the mere suspicion of some individual policeman that the conditions of the licence had been broken. In the pamphlet referred to by the right hon. Gentleman it was stated that a large number of these licence-holders were at large in Sheffield. Being greatly surprised at the statement, in September last he wrote for information on that point, and received from the Sheffield police a very long list of names. He afterwards communicated with the Mayor, and he learnt that most of these names were names of persons who, having expiated their offences, were then at large, and belonging, no doubt, a considerable portion of them, to the criminal class. But under no construction of the law could these persons be placed under the surveillance of the police; they were as free as any other class of men in the kingdom until they again rendered themselves amenable to punishment. Seven of the entire list were, however, believed by the local police to be relapsing into criminal courses. On an investigation it was found that of these seven only one was the holder of a ticket of leave; but it took six weeks to satisfy the Mayor of Sheffield, who undertook the investigation, that the circumstances were such that the licence should be revoked. That would be the real difficulty of the case; and if the views of the right hon. Gentleman were allowed to prevail—if the holders of tickets of leave were to have them revoked without any judicial inquiry—it would be necessary to establish for them what, indeed, existed in penal colonies, a code applicable only to those persons, rendering them subject to a summary jurisdiction to which no other class was amenable.

Before sitting down he wished to notice two or three statements made by the right hon. Gentleman. One of them related to an error which appeared in a statement of figures appended to the letter of the West Riding magistrates in reply to Sir Joshua Jebb. Now, he had written to those magistrates on the subject, and it turned out that the numbers, instead of 200, should have been only 29, and they promised to correct the inaccuracy if the pamphlet reached a second edition. Then again, the right hon. Gentleman was mistaken in supposing that there had been any interference in regard to holders of tickets of leave sentenced a second time. In point of fact, some time before the Commission was issued, in consequence of the number of robberies attended with violence supposed to be committed by licence-holders, although subsequent investigation proved that they had not been committed by them at all to the extent alleged, it was thought desirable, to meet these very cases, that instructions should be given that the published rules with regard to the remission of sentences should not be acted on in the case of any prisoner so circumstanced; on the ground, that if a second crime were committed, the person committing it proved by that fact that he belonged to that class of offenders to whom no indulgence should be shown. With respect to the circular to mayors and borough authorities, he had never heard of it till the extracts were read from it at the table. He supposed it must have been issued by the Commission—certainly he had never seen it. An erroneous impression was entertained in regard to the extent to which street robberies accompanied by violence had been committed by persons previously convicted. Of a list of those violent street robberies it turned out that only two were committed by men who were licence-holders, and four by parties who had been sentenced to transportation or penal servitude. With regard to penal servitude, the right hon. Gentleman complained that very different language was held by different Ministers on the subject of the dietary of prisoners. Now, the Commission had only reference to those prisoners who passed through convict prisons under the conduct of the Government; while the Committee of the House of Lords had reference to the management of borough and county gaols, which were regulated quite differently from convict prisons. The administration of punishment in county and borough gaols, which were chiefly under the justices, formed a very useful subject of inquiry; but the right hon. Gentleman proposed for inquiry what would undoubtedly come before the Commission; and if the Address were adopted, the subject would be withdrawn from their attention. With respect to letters of licence, it was a condition that a ticket of leave or licence should be available only within the limits of the United Kingdom; and therefore, knowing that the moment a convict left the country he was illegally at large, the Government had not encouraged emigration. But they had shut their eyes to it, knowing how desirable it was that discharged men should seek the means of obtaining an honest living; and they had paid the gratuities, which would otherwise have been paid to the discharged prisoners themselves, to the Prisoners' Aid Society, which had undertaken to promote emigration among this class. The system of directly encouraging emigration among this class was adopted in Ireland, and no doubt it had its advantages arising from the peculiar circumstances of that country; and a gentleman was salaried to visit and advise discharged prisoners. He wished to draw no invidious comparison between the two countries; but if the Address of the right hon. Gentleman were adopted, the effect would be that many would be found at large who had no legal right to emigrate. He hoped, when the Commission reported, the right hon. Gentleman would carefully read the evidence, and thereby correct his knowledge of facts. At present it would certainly be premature to adopt his Address.

MR. HENRY SEYMOUR said, he thought the House was deeply indebted to the right hon. Member who had moved the Address, for bringing forward the subject; and regretted that the Secretary of State had not given a more satisfactory answer. He confessed that he was unable to see where the right hon. Gentleman (Mr. Adderley) had fallen into inaccuracy. The twelfth recommendation of the Commissioners' Report was conditional only. In the fifteenth and sixteenth recommendations they suggested that the convicts should be watched by the police. Now, the facts were, that great numbers of convicts were being discharged from the prisons, and tickets of leave were given to prisoners set at large, who might be watched by the police, without any Act of Parliament being passed for that purpose; and it was for that reason that the right hon. Gentleman opposite had brought this Motion before the House. He was under the impression that the system in Ireland, and in England, was equally under the control of the Home Office, and that the right hon. Baronet was at the head of either system. Yet in the two countries we had two systems in operation founded on two different principles. He could not understand the objections of the right hon. Gentleman to giving them that security for persons and property, when convicts were sent out on a ticket of leave, which was recommended by the Committee of that House, by a number of Magistrates, by General Cartwright, Inspector General of Constabulary, and by many of the Chief Constables of different Counties, and which really, as far as he could find out, had no opponents in this country except the right hon. Baronet (Sir George Grey) and Sir Joshua Jebb. It all depended upon the fiat of the right hon. Gentleman, whether convicts dismissed to-morrow on tickets of leave should be placed under the surveillance of the police. The system of the right hon. Gentleman had proved an utter failure; whereas the surveillance that was required would not act in any kind of way to prevent a man from obtaining employment. He certainly could not understand why seven years should have been allowed to elapse with two different systems in operation, without a comparison being made to ascertain which excelled, so that we might have one uniform plan. If the right hon. Baronet had taken this course, there would have been no need of a Commission. What had the Commission to discover beyond what was found by the Committees in 1856? If those recommendations had been carried out, the whole system of secondary punishments would have been gone into; but the right hon. Baronet, in not having dealt with the whole convict body, had not got his case ready for a Commission to deal with. Looking at the results of the Committee of 1856, he could not understand what the present Commission were to find out additional, and he was disappointed that the right hon. Gentleman (Sir George Grey) had not acceded to the Address of the right hon. Gentleman opposite. There was £11,000,000 worth of property consumed annually by crime, either in its repression or in depredations; and of this sum £4,000,000 were spent in its repression. There were 21,000 policemen, or one to every six of the criminal class, which was not the proper proportion, or one that ought to exist in any well-ordered state. This was a subject which must interest every Member of the House, and he trusted, that notwithstanding the opposition which had been given, the right hon. Gentleman would re-consider the question, and be prepared to examine and see whether he could not place the convicts, which are henceforward liberated, under some kind of surveillance that would enable the police to know what had become of him.

MR. HENLEY said, it was not his intention to follow the hon. Member for Poole (Mr. H. Seymour) in the wild and discursive field which he had travelled over. He thanked God, being a member of the Commission, that they had not to go into the whole subject of secondary punishments. It was a large field; and he was quite sure, that if they were to undertake that matter, it would be made a very short inquiry indeed. Nor would he go into the question—also not a small one—whether any and what means ought to be taken to obtain a more perfect surveillance of the police over the criminal population. That, also, was a rather large inquiry. Many people thought that the police had got power enough; and, at all events, it was a very large question. He would confine himself strictly to the Motion of his right hon. Friend (Mr. Adderley). He would abstain from going into the comparative merits of the Irish and

English systems, which was a question his right hon. Friend (Mr. Adderley) himself had not raised; indeed, so far as he could upon such a subject, he had carefully avoided it. He could only say this, that he knew of nothing that would lead him to the same conclusion as the hon. Member opposite had come to. When the facts of the Irish system were looked into, he doubted very much whether any one would be able to come to the conclusion which the hon. Member opposite (Mr. Seymour) seemed to regard as so certain. Of this he was quite sure, that if all the recommendations of the Committee were to be carried out, there would be considerable difficulty in following the Irish system. He believed, that if a man received a licence of leave in Ireland, he could walk into England and Scotland without the least check; and therefore if they were to be hindered, and kept under strict surveillance, the result would be that some of the criminals who figured in the English prisons we might not have the privilege of seeing so frequently as we do now. His right hon. Friend (Mr. Adderley) had gone at considerable length into the recommendations of the Committee of 1856, and he stated that in 1857 there was a wholesale abuse of the system; and that for two or three years after the practice was even more lavishly resorted to. Well, what was the result? Why, from 1857 to 1860 there was the most remarkable diminution in crime ever known in this country; so that during the time that, according to him, the greatest abuse of this system was going on, the gaols were almost getting empty. Anybody who knew anything of the condition of our prisons in 1860 would know that we never had so little crime. Still, if there were any force in the reasoning of his right hon. Friend, there must have been a great benefit and advantage to us, so far as security of life and property was concerned, from this relaxation of a system whereby criminals were let out upon us. In 1860 a more stringent, and, according to the right hon. Gentleman (Mr. Adderley), a sounder line was adopted; and from that time criminals began to increase, and gradually crept up; and though we had not yet got so bad as we were in 1857, yet he was afraid, that when the Returns for 1862 were laid before the House, it would be found that we were getting back to the state of things that existed at that time. He believed that this increase and decrease of crime did not rest upon the treatment of the criminal population. He believed that they were to be accounted for by deeper causes; and that, from time to time, we should have ebbs and flows in crime; and if we set to work to alter our laws upon every occasion—upon every ebb and flow of crime—we should be led into a greater mass of confusion than we were in at the present. His right hon. Friend alluded to the Return from the different police authorities of the country ordered by the House for that Commission. It was not ordered, so far as he knew, for any other purpose. Of course the information obtained that way was good, so far as it went; it was valuable as showing two things—how far the police were vigilant, and what number of criminals they knew of and what they were doing; and if the police, who were in the proportion of 1 to 1,000 of the population of the country, and of 1 to 500 in the metropolis, were worth their salt, they should be able to exercise considerable oversight over the criminal population. For himself, he could not see what good such a Resolution as this, if carried out, would do; and he was one of those who thought the right hon. the Secretary of State had not exercised an unsound discretion when he required something like proof that a man was going wrong after he was let out. He quite agreed with him, that the simple assertion that a person was doing wrong ought not to be received, except upon a full inquiry. He was one of those who thought that no man ought to be condemned unheard; and certainly to deprive a man of the remission of sentence of one year or six months was a thing that ought not to be done without his having the power of answering what was alleged against him. He would vote against this Motion if it went to a division; but he hoped his right hon. Friend would not divide the House upon it, but be content with the expression of opinion that had taken place.

Sir STAFFORD NORTHCOTE said, he thought that his right hon. Friend (Mr. Adderley) might congratulate himself upon some of the results he had attained by bringing the subject before the House; and he must say, that looking to the state of public opinion upon this subject, it would hardly have been satisfactory if this House had allowed the Session to pass without some discussion on so important a question. Some points elicited in the reply of the right hon. Gentleman the

Secretary of State were not unsatisfactory, and they would tend to dissipate some erroneous impressions which existed in the minds of the people on this question. But with reference to what had just been stated as to the possible utility of such a Motion as this, there was one point of view in which they should look at it. A Commission is now sitting to inquire into the whole subject; that Commission would shortly make its Report, to which he should expect some weight would be attached, while upon its recommendations possibly some legislation might be founded. They had had in former years inquiries by Committees of this and the other House of Parliament, and upon the recommendations of those Committees Acts of Parliament had been passed and steps had been taken with the intention of carrying out the suggestions of those Committees. The question was whether the recommendations of those Committees had been actually carried into effect—because this fact had a certain bearing upon the Report which they expected from the Commission. The Act which was passed following the Report of the Committee some years ago was expected to prove satisfactory, because it was supposed to carry out the recommendations of that Committee. What they wanted to know was whether these recommendations had really been acted upon or not, because they wanted also to know whether the recommendations which they expected from the Commission would be carried out or avoided in practice by the Legislature; and whether, pending this inquiry, Government would give directions to carry out the Act as was intended by the Parliament which passed it? Attention had been called to one particular point — namely, the conditions endorsed on the ticket of leave. His right hon. Friend did not mean to say that the law was violated by the executive Government, because the Act gave the Secretary of State the power of issuing these tickets of leave under such conditions as he thought fit. It was, however, clearly the intention of the Committee of 1856, and of the Government which endorsed their recommendations, that when the conditions were so endorsed, the tickets of leave given should be a reality and not a sham—not that they should be tickets allowing a person to act unconditionally free, and that the person should be subject to severer punishment in case he committed a second offence—and it was undoubtedly the intention of that Committee that these tickets should be some kind of security for the good conduct of the prisoners allowed to go at large. The general impression of the public was that the ticket of leave was a sham, and the ticket-of-leave men themselves seemed to be of the same opinion. They thought all they had to do was to keep themselves out of the clutch of the law a second time. The right hon. Gentleman had told them there were great difficulties in revoking the ticket of leave, unless the law were a second time violated by the holder; and yet, he said, he had sometimes revoked it though no new crime had been committed. It was evident there was a great deal of confusion in connection with the whole subject. His right hon. Friend had done good service in bringing the question forward, and in doing so he had given expression to the feelings of the public. He hoped the Commission would recommend some intelligible course of action which the Legislature might adopt, and that the Government would give an assurance that whatever might be agreed upon would be carried into effect.

MR. HADFIELD said, he was of opinion that the Report of the Commission would show that the ticket-of-leave system had been completely successful. Nearly 6,000 persons had been discharged under it, and at least 90 per cent of them had not relapsed into crime. In Ireland, out of 724 tickets of leave, only 71 persons (51 men and 20 women, or less than 10 per cent) had again offended. Of these 51 men 21 did not offend until the full term of their imprisonment had expired, and of the 20 women three only had offended before that time. If the number of recommittals as shown by the Returns were reduced for offences of a trifling character—for felonies not accompanied with violence — it would be found very small indeed. But it was a subject of great regret that no provision should be made for persons who, having lost their character, were let loose upon society without a friend in the world. The majority of these persons were penniless, powerless, and friendless, and, in fact, the greatest objects of compassion a Christian mind could look for.

MR. NEWDEGATE trusted that his right hon. Friend (Mr. Adderley) would withdraw the Motion before the House. He was bound to ask his right hon. Friend to do this, because his right hon. Friend had made a proposal in the quarter sessions for Warwickshire, at which they were both present, similar to that before the House, and he (Mr. Newdegate) had presented a petition to the House signed by the magistrates there present, which was adopted in opposition to the proposal then made. The feeling amongst the magistrates was one of thankfulness to the Government for having issued the Commission, and their petition was that the existing law with respect to secondary punishments might be changed. That was the general feeling of the country and of the magistrates; it would therefore be impossible that their representatives could concur in condemning the Government for not carrying out satisfactorily a law which they believed to be imperfect. He believed that the opinion of the great majority of the people and of the intelligent classes was that the abandonment of transportation had been a very great misfortune to this country, and a misfortune to those unhappy persons who had fallen into crime. The fact that such persons were unable to find employment here was a proof of the high tone of the morality of the country. It had been admitted over and over again by Sir William Denison, by the Home Secretary, and by Earl Grey, that under the system of transportation and of assignment in the colonies, persons who had been convicted of crime were enabled to recover themselves and become honest members of society. Such a system, therefore, was merciful to the unhappy person who had fallen into crime; and he trusted that nothing that had passed in that debate would be held to prejudice the consideration of that question by the Commissioners. The people of this county were earnest in their desire that the Commissioners should investigate the subject, with a view of ascertaining whether some new sphere might not be discovered to which our criminals might be transported, where they could have a chance of recovering their position, for this they could not do in this country unless its tone of morality had been degraded. A comparison had been instituted between the success of the present system of secondary punishments in this country and in Ireland. The fact was, that England had not yet a system of police like that in Ireland, and he spoke confidently when he said that the people of this country did not wish or need to have a like system; if any system of secondary punishments were introduced here that would require such a change in the character of our police force, the people of this country would consider that system very dearly purchased.

MR. BENTINCK concurred with his right hon. Friend (Mr. Adderley) in proposing that immediate steps should be taken to make the law with reference to this question more stringent. Nothing had been said as to when it was likely that the Report of the Commission would appear; and it seemed to him that one material point had been altogether overlooked in this discussion—namely, whether, when they had the Report, it was likely that they would be able to act upon it. He thought that the speech and the Motion of his right hon. Friend were contradictory of each other, because in one he asked the right hon. Gentleman opposite (Sir G. Grey) to deal in a summary way with this question, and in the other he sanctioned delay. He objected to the Motion of his right hon. Friend because it countenanced delay. It appeared to him that the great error that had been committed in this matter was in the course taken by the right hon. Gentleman opposite (Sir G. Grey) in referring this matter to a Commission. The right hon. Gentleman had not touched on that subject. He was at a loss to understand what ground the right hon. Gentleman, in the position he occupied, had for referring this subject to a Commission. He was at a loss to understand how any Commission, however ably it might be composed, could become possessed of better or more reliable information than that which was in the possession of the right hon. Gentleman. It was simply shifting responsibility. What was the use of an executive Government at all if they were not prepared to deal with questions like this? It seemed to him that this was one of those cases in which the right hon. Gentleman ought to have acted on his own responsibility. It had been said that there had not been lately such a marked increase in crime as there had been previous to 1857. That might be the case with regard to general crime; but there had been a large increase lately in a particular description of crime perpetrated by a particular class of men—men who had been liberated under the existing system; and it was for that very reason that it was incumbent on the right hon. Baronet himself to deal with the question. He (Mr. Bentinck) entirely concurred with the hon. Member for North Warwickshire (Mr. Newdegate) that they would never arrive at a good result until they again resorted to the system of transportation. Nothing else would save society from a repetition of those practices which had recently created such a strong feeling in the public mind.

MR. CAVE said, the real reason why the present system worked well in Ireland was because the convicts were obliged themselves to report to the police what their mode of living was. It was quite a mistake to suppose that these men could only be employed in a degraded state of society. The reason they were employed in Ireland was that in reality a ticket of leave there was a certificate of good character. A ticket of leave in this country, on the contrary, was a mere certificate that the person had been convicted of crime. The Act of 1853 gave the Home Secretary the widest power to endorse on tickets of leave whatever conditions were thought desirable; and if the conditions were less strict in this country than in Ireland, the Home Secretary had authority in his own hands to remove the discrepancy. The proper object of a ticket of leave was to prevent an offender, by means of the supervision to which he should be subjected, from committing a second offence; but, instead of that course being pursued in this country, the ticket-of-leave man was now told that after he committed a second offence his ticket of leave would be revoked. That was not the right course of proceeding, for it was calculated to set every man against the criminal who obtained a release, to make every one his enemy, and also to exasperate the criminal against society, because it was rendered impossible for him to obtain a livelihood in an honest manner. The Home Secretary had spoken as if his right hon. Friend (Mr. Adderley) had started at a ghost which no one saw but himself. Why, during the whole winter the country had been sounding the alarm. If this question had been raised for discussion a few months ago, there would not have been such empty benches as were to be seen in the House on the present occasion. Every one then felt his life and property unsafe on account of the prevailing outrages. But the tide had now rather turned, in consequence of the extraordinary exertions of the police in driving these offenders into the provinces, and there was, unfortunately, at present a certain stagnation. This was a most unfortunate circumstance, when it was wished that the law should be enforced. Precisely the same thing occurred in 1856. A series of outrages between 1853 and 1856 roused the nation, and a call was raised for some change in the law, but the question was shelved by being referred to a Committee. There was, as the right hon. Member for Oxfordshire had said, an ebb and flow in crime, caused by various circumstances. It was during the flow that the laws were tested; and because the pressure of the flood of crime ceased for a time to bear against the gates, which had proved inadequate to restrain it when that pressure was at its height, it by no means followed that the law was in a satisfactory state. Returns, such as that which had been quoted, showing the proportion of reformed ticket-of-leave men, were perfectly illusory, for it was admitted that little was known of what became of the holders. He remembered what Serjeant Adams had once told him of the advice he gave to the holder of a ticket of leave—namely, to throw it over the first bridge, in order that he might not be known in that capacity. He was by no means one of those who advocated a return to the severity of penal discipline, but he was decidedly opposed to the continuance of a system which suggested to the struggling, honest man whether it might not be better after all to become a criminal.

COLONEL SYKES said, he had always considered it a gross inhumanity to release felons without affording them some means of obtaining a honest livelihood. Destitute of the means of self-support, they must either steal or starve. Transportation was unquestionably a means of ridding the country of this class of the population; and if colonies objected to receive transported criminals, there were plenty of waste lands in which communities might be founded, as that in New South Wales had originally been. That colony was founded by felons, and yet it had become a highly respectable community. In nine cases out of ten want of employment was at the root of the evil, and no legislative act had tended to diminish juvenile vagrancy like the establishment of the Shoe-black Brigades, the boys in which not alone earned sufficient for their own support, but were actually putting money into the savings banks.

MR. POLLARD-URQUHART said, as allusion had been made to the working of the convict system in Ireland, he wished to remind the House that the position of the two countries was very different. There were two causes of its failure in England—

the existence of large and crowded cities, and the existence of a professional criminal class, neither of which were to be found in Ireland. Whenever there appeared in Ireland men desirous of following crime as a profession, they generally came over to England, from a belief that there was a larger field open to them there for the exercise of their abilities. Under the ticket-of-leave system there should be established a proper surveillance, by which the conduct of the holders could be observed and reported upon. He, however, believed that our criminal system would never work properly without transportation. There were plenty of the possessions of the Crown that were suited for the purpose, and he deprecated that morbid sensibility which would hesitate to send criminals to places because they were too hot or too cold. He objected to the principle of considering the health of the criminal more than the health of the soldier or the sailor.

Mr. ADDERLEY said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

ACCOUNTS OF ARMY EXPENDITURE.

OBSERVATIONS.

Sir HENRY WILLOUGHBY rose to call attention to a subject relating to the Army Estimates, which he could not introduce in Committee, because it did not relate to anything connected with the Estimates of the year. That subject referred to the payment of £19,385 for German Military Settlers in Vote No. 3, Army Estimates, 1860-1. In his opinion it was a blot upon our financial system that for two years past they had received no detailed account of the army expenditure, and yet they went on voting the Estimates without that information. At the present moment they had had no account of the details of the army expenditure of 1861-2, nor, of course, of the expenditure of 1862-3. Yet those two years' expenditure amounted to upwards of £30,000,000. It was singular that for so long a time they had been in the habit of voting the Estimates without the slightest evidence of the manner in which those enormous grants had been expended in the previous year. The last detailed account submitted was that of 1860-1, which was only delivered on the 30th of May, after the Army Estimates had all been voted, and was, consequently, of no avail for the discussion of the army expenditure of last year. He wished to call the attention of the House more particularly to a certain payment of £19,385 for German military settlers at the Cape. In the Estimates for 1860-1 it was true that the words "paid to German Military Settlers at the Cape" appeared; but they were printed in *italics*, which was the customary form when it was intended to intimate that there would be no call for that money in the current year. That being the case, it was a matter of much surprise to him, on examining the detailed account alluded to, of the expenditure of 1860-1, to find under Vote No. 3, called "For Miscellaneous Purposes," this item of £19,385. The Accountant General of the War Office, an able officer of considerable experience, seemed to say that this was an excess which, amongst others, was occasioned because Parliament had provided no pay for the German military settlers. Now, he (Sir Henry Willoughby) wished to ask, by what authority the Secretary for War and the Chancellor of the Exchequer made this payment of £19,385? The right hon. and gallant Member for Huntingdon (General Peel) some time since put a question on the subject to the Secretary of State, but received an answer which he (Sir Henry Willoughby) did not consider at all satisfactory. If the Government were to be held justified for the expenditure of the public money not actually voted by that House, then there was an end to any control exercised by that House. He thought it right to bring this question before the House, but he did not wish to make any Motion in the matter.

Mr. W. WILLIAMS said, the Government had taken great credit for reductions in the army and navy; but, looking closely into the Estimates, he did not believe there was any reduction in the force and expenditure of the army. The boasted reduction was in reference to the stores and manufacturing departments. He had hoped to find a great reduction in the number of our standing army, but it appeared that the army for the year was to consist of 436,000 men of various grades in the military service. The hon. and gallant Colonel opposite (Colonel North) seemed incredulous, but he would give the details. The number of men in the standing army was 147,000; from which he deducted 40,000 for the colonies, leaving 107,000 for home service. The pensioners amounted to 15,000, the marines on shore to 11,000, and the militia to 128,900, the Volunteers to 160,000, and the yeomanry cavalry to 14,000; making a total of nearly 436,000 men. The cost of this enormous force amounted to about £15,000,000. If to this number were added the Native army of India, it would be seen that they had the largest military force of any country in Europe. In 1852, when the Government of Lord Derby was in office, the number of men in the army of all grades was 205,000 and the expenditure £9,100,000; in 1853, when Lord Aberdeen was Prime Minister, the number of men was 200,000, and the expenditure £8,550,000. Was it not astounding that the expenditure should now be £6,000,000 more than it was in 1852, and £6,500,000 more than it was in 1853? Where was the necessity of this increase? No Government of France had ever been more friendly towards this country than the present one, and he had seen a Return which showed that the number of the French army was only 336,000 men of all ranks, while the total number of the English army was, as he had shown, 436,000. What did this mean? Then there was our colonial expenditure, amounting to £4,250,000. No doubt, Gibraltar and Malta required a large military force to be kept up; but our other colonies ought to pay for any military aid they might require, and in this way we might reduce our expenditure £3,000,000 sterling.

Sir GEORGE LEWIS said, that after the House had gone into Committee, he would show the hon. Gentleman (Mr. Williams), that he had taken an inaccurate view of the number of our army and of the expenditure on its account. With regard to the question of the hon. Baronet opposite (Sir Henry Willoughby), it was quite true that there was no item of £19,000 for the Military Settlers in the Estimates of 1860; but, under the provisions of the Appropriation Act, the Treasury sanctioned an application of the War Office with regard to the pay of the German settlers, as set out in a letter appended to the Estimates, and he believed the transaction was perfectly legal. The War Office sanctioned the transfer of money from one Vote to another, with the sanction of the Treasury at the time, and of the Parliament subsequently.

Mr. WALPOLE said, the complaint was, that there being no Vote taken for the German settlers that year, there was no power so to appropriate the money. The explanation was that under the Appropriation Act there was power of transfer. But that power was confined to Votes in Committee of Supply, not to expenditure where no Vote had been taken; and there was an abuse of authority both in the War Office and in the Treasury.

Sir GEORGE LEWIS said, the Appropriation Act knew nothing of items; it dealt with general heads, and he contended that the payment for the German Military Settlers came under the general head of "Pay and Provisions for Troops."

Sir FREDERIC SMITH called attention to the form in which the Estimates were drawn up. In some respects an improvement had been made, but in others the reverse was the case. It was impossible to analyse the Estimates critically and compare them with former ones, without an immense amount of labour. He also complained that an item was omitted from the present Estimates which had always been given in previous years—the Number of Men. The House should not be asked to vote money without first knowing the number of men who were to receive it.

Sir GEORGE LEWIS observed, that the first item to be submitted in Committee would be the Number of Men.

Mr. NEWDEGATE said, the £19,000 for the German Military Settlers never appeared in the Votes at all; and if items were to be paid out of the public money besides those contained in the Estimates, of what use was it for the House to go through them at all? He thought the Treasury had been betrayed into an excess of authority; and hoped that the item would be submitted for the consideration of the House.

Sir GEORGE LEWIS: It has been printed and laid on the table.

Main Question put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

Sir GEORGE LEWIS: Sir, in reference to what has fallen from the hon. and gallant Officer opposite (Sir F. Smith), I have to state that the Estimates for this year have undergone a certain change of form in order that they may be laid before the House in a more convenient shape. The first Vote, which used to consist of Men only, has been omitted, in imitation of the mode in which the Naval Estimates are submitted to the House. The statement of the Number of Men is included within the Estimates, and I shall follow the usual practice of moving that number in the first Vote; so that if any Gentleman wishes to propose a simple reduction of the number, it will be competent to him to do so. In bringing the Army Estimates under the notice of this House last Session, I stated that the sum included in them had undergone a considerable increase since the period of the Crimean war, and I attempted to explain the causes of that increase. I trust that the expenditure on the army may have reached its culminating point about two years ago. Last year the Estimate which I presented to the House was less than that of the previous year; and the Estimate which I propose this year is as nearly as possible £1,000,000 within the Estimate of last year. In order, however, to arrive at the true amount of the Army Estimate it is necessary to bear in mind certain other virtual and practical deductions which ought to be made from it. The sum which was voted last year, including the Militia, which is included in this Estimate, was £16,060,350; the amount which I propose to take for the present year is £15,060,147, showing, as I have said, a decrease of somewhat more than a million sterling. It is to be borne in mind that there are certain important sets-off to be made against that sum. According to the best estimate which we can frame, there will be sums to be paid into the Exchequer this year as receipts, virtually in aid of the Army Estimate, amounting to not less than £1,364,000. This will be a real payment into the Exchequer, and must be considered as a deduction to that amount from the Army Estimate. A large portion of that sum is in respect of charges which this House will be asked to vote towards the expenses of the Indian army incurred in this country, and which will be repaid by the Indian Treasury. These sums were formerly, to a great extent, made matter of account between the India Office and the War Office, and were never submitted to Parliament. Last year that practice underwent a change, and certain charges in respect to the Indian army appeared for the first time in the Estimates. If, therefore, a comparison is made between the Estimate of this year and that for any year previous to the last, it is necessary to deduct the sum of £660,000, which is estimated in the accounts for this year, but which was not included in the Estimates for the years previous to the last.

Sir, when we speak of the Army Estimates we generally are thinking primarily of the regular army; and I think that my hon. Friend (Mr. Williams), who compared our force with the military force of France, mainly had in view the regular army of that country. But a very considerable sum is introduced into these Estimates for forces auxiliary to the regular army. There is for the Disembodied Militia, £751,000; Yeomanry, £94,000; Volunteers, which is larger than in any previous year, £321,000; Enrolled Pensioners and Army Reserve, £55,000; and for half-pay of the Disembodied Militia, £32,000; making a total amount of £1,255,000. That sum, which is included in the total amount of the Army Estimates, is for forces auxiliary to the regular army, and not in any respect for the regular army itself. The Army Estimate also includes what was formerly the Ordnance Estimate. The Ordnance Department, I need not say, makes ordnance and other weapons for the navy as well as for the army, and there will be included in the Army Estimate for this year a sum of £680,000, which is for the sea service. But then the Navy Estimate also includes a sum for military transport amounting to £381,000; and therefore the sum really charged in the Army Estimates in aid of those of the navy is the difference between those two amounts. There is another circumstance to be adverted to in regard to the Estimates for the present year—which is, that there is a considerable extraordinary expense for the army on certain foreign stations; and that therefore as far as the sums charged for China, New Zealand, and British North America are concerned, this cannot be considered a year of ordinary peace expenditure. In the year 1858 the military charge for British North America was £285,000; the Estimate for the present is £887,000. For New Zealand, in 1858, the charge was £86,000; for this year the Estimate is £347,000. During the four years from 1853 to 1857 inclusive, the military expenses of the China station were £84,000 per annum; this year they amount to £334,000. Therefore a comparison of the Estimates, taking these three items together, shows a difference between £456,000 and £1,569,000, the difference being the amount of extraordinary charges to which we are put this year on account of these three foreign stations.

The principal reduction in the present Estimate is under the head of "Stores" and "Works." The plan upon which the Estimate has been framed has been to make no material or serious reduction in the strength of our army, for reasons which I will shortly state to the Committee, and which appear to me to be cogent and quite decisive; but for various reasons, one of which is the great exertions that have of late years been made in the manufacturing departments, it has been found possible to propose a considerable reduction in the Votes for Works and Stores. Another reason why it has been thought to be undesirable to take as large a Vote as usual under these two heads is that at present the question of ordnance is to a great extent in suspense. There have been former trials of the comparative merits of different guns which either are in use or are proposed for introduction into the service. A Committee of scientific officers and civil engineers has lately been appointed to inquire into the relative merits of the Armstrong and Whitworth guns, and it has not been thought advisable to incur any great expense for the manufacture of iron ordnance while the trials are still pending. And I may add that the activity and energy of the manufacturing department during the last few years has placed the Government in possession of a large supply of guns, in consequence of which there is no necessity for any rapid increase of their number. I have taken scarcely any Vote for guns for the army during the present year. What I have taken is almost exclusively to meet the demand for the navy. I believe I may state that the whole amount asked for for guns for the army in the present year falls short of £5,000; in fact it is not intended to proceed with the manufacture of guns except for merely temporary supply. It is in that part of the Estimate, as the Committee will see, that the great reduction in the present year is effected. I do not concur with my hon. Friend in thinking that any inconvenience will be caused to the public service by reducing our stores to the extent of £1,000,000 during the present year, nor do I believe that our resources will be in any way crippled. I have no doubt that I have asked for a sum sufficient to supply all the additions that will be wanted during the present year, and that this sum can without difficulty be spared from the public service.

I now come to the question of the strength of the army. The Committee will observe that in Vote No. 1, the first in which money is involved, there is an apparent increase under the head of Staff and Regimental Pay and Allowances of £255,000. If, however, hon. Members will refer to a paper which I have caused to be circulated since the Estimates were printed, they will perceive that £209,000 of that excess over last year, is attributable to the augmentation of the number of of the depôts in this country of regiments serving in India, the whole amount of the excess being covered by a capitation grant payable from the Indian Government to Her Majesty's Exchequer. The excess is, in fact, apparent and not real, and will be reimbursed to the Exchequer by repayments from the Indian Treasury. But the Vote which I am now about to ask you to agree to is one for 148,242 men as compared with 152,403 last year—thus showing a diminution of 4,161 in the strength of the army. There has, I may add, been no reduction made in the number of battalions, which remains precisely the same as last year. We propose, however, that there should be a reduction of 100 rank and file in all the battalions serving at home and in the Colonies, except at Ceylon, where there is only one battalion, for the increase of the strength of which a demand was lately made; in China, where there is a great draught on the troops; and in New Zealand, which is in a state of war; no diminution being proposed to be effected also in the first five battalions for foreign service. The reduction will operate on sixty-nine battalions; and that is the manner in which the strength of the army will be reduced to the extent which I have stated. Now, I am desirous of laying before the Committee the precise grounds on which Government have come to the conclusion that it is impossible to reduce the number of the battalions below that at which it at present stands, or to diminish the number of men in them beyond the amount which I have mentioned. If the reasons on the point which I have to submit to them should appear to hon. Members to be satisfactory, they will at once perceive that the grounds on which we determined to propose these Estimates have no reference to the subject which has just been adverted to—the fear of a French invasion or of invasion from any other country in Europe—but that the number of men is made to depend on the peculiar distribution of our army. If we look to

France, and to other continental States, we find that their armies are, for the most part, confined within the limits of their respective countries. The French, it is true, have a certain amount of force in Algeria and a garrison at Rome, while they have fitted out also an expedition to Mexico; but the great bulk of the French troops is contained within the limits of France. To Prussia, Austria, and other continental nations, the same observation applies. Their armies, to a certain extent, resemble our militia, if we were to suppose it to be called out throughout the year. The English army is, however, placed in totally different circumstances. In the current year, 1862-3, the infantry force of our army is distributed as follows:—The number of battalions of infantry on the establishment at home is 40; in the colonies, 45; in India, 56:—that is to say, 40 at home and 101 abroad; so that nearly two-thirds of our army is at any one moment on foreign service. I pass now to the year beginning the 1st of April next, to which these Estimates apply, when, in consequence of the return of one of the Indian regiments, our battalions in this country will amount to 41, the number in India and the colonies being 100. The perfection of our system of relief, according to the view taken by His Royal Highness the Commander-in-Chief, and others competent to pronounce an opinion, should be made to consist in our being able to allow a regiment to pass five years in England for every ten it might have spent on foreign service. The Committee will therefore see that if we have only 41 battalions at home and 100 abroad the required proportion cannot be maintained; a battalion will not be able to spend five out of every fifteen years in England, where the bulk of the troops might be recruited, and they might be more restored to the character of English troops, forming part of an English army. Now, if this circumstance be borne in mind, and if it be recollected that by reducing the battalions by 100 men we come to the lowest possible point at which the efficiency of our military force can be maintained; if, moreover, we look to the number of battalions on foreign and colonial service—which I assume cannot be diminished, because, unless our system of Imperial management be altogether altered, we cannot reduce the number of our troops in India and the colonies—starting them from that number as a fixed *datum*, it is, I think, quite clear that we cannot reduce the number of battalions in the United Kingdom below 41, or reduce the strength of the battalions more than is now proposed. Neither can we diminish the number of battalions in India, because they have already been reduced to a point as low as possible by the Indian Government; while, if the demand made upon us by the colonies be taken into account, the Committee must, I think, concur with me in the conclusion that it would be impossible for the Government—entirely placing out of view all question of the defence of our own coasts, which is, of course, a material question on this occasion—to propose a less number of battalions or of men than we propose in the present Estimates. Indeed, I feel the most entire confidence that the more the Committee investigate the subject the more completely will they admit the necessity which exists for the amount of military force which I ask them to sanction.

There are some figures to which I would wish to call attention as throwing some light on this question of the distribution of the army—namely, the proportions as to population and area which exist between the foreign possessions of the British Crown and the United Kingdom. The area of the United Kingdom in statute square miles is, I find, 112,000, while that of the British possessions abroad is 7,383,000; the population of the United Kingdom at the last Census is 28,947,000, while that of the British possessions abroad is 183,191,000. Under these circumstances the Committee will deem it no matter of wonder that so vast an empire—an empire vaster than was, I believe, ever governed effectively under a single sceptre—should require the large military force which I have described. They will, therefore, have no difficulty in agreeing to the Vote which I am about to place in the hands of the Chairman.

But there is another Vote on which there is an increase. I allude to Vote 10—that for the Volunteers—on which this year there is an increase of £198,000. The House will observe, that although there is this increase proposed for the Volunteers there is yet a considerable diminution in the total amount of the Estimate. The Committee may, perhaps, remember that a Royal Commission was issued last year to inquire into the petitions put forward from various parts of the country for some subsidy to Volunteer corps, in order to prevent that which many persons feared as probable—the dissolution of a large number of those corps if they should not receive some public assistance. The Commission made a careful inquiry, and ended by suggesting that a certain sum should be allowed for each regiment, to be calculated according to the number of its effective members, and appropriated to the objects specified in their Report. I will not trouble the Committee by describing what these objects are, but they are all the principal purposes to which the expenditure of Volunteer corps is applied. After taking that Report into their consideration, the Government concluded that on the whole it would be desirable to give effect to its recommendations. Accordingly, I have inserted in these Estimates a sum which will be sufficient to carry these recommendations into effect; and I shall be prepared, when the Vote comes on, to state to the Committee the precise conditions on which we propose that the grant should be given, and in what manner it can be safely expended. I cannot but think that the Government are taking a course in accordance with the general feeling of the country in proposing this additional sum for the Volunteers. The total number of the enrolled members of this force on the 1st of August last was 157,818, and the number of effectives was 131,420.

There is an increase this year of £35,000 to the Militia Vote, which is principally owing to an additional charge for clothing.

I have now gone through all the Votes upon which an augmented charge is proposed. Upon the rest there is either no material variation or else some diminution.

Sir, having submitted these explanations to the Committee, I will not detain them now by further details. I shall be prepared to give more detailed information as the several Votes are proceeded with. Before I sit down I would only make this remark, that the whole of our military system seems to me to have the same character as is most prominent in the Volunteer force—namely, it is designed for defence. I cannot at all agree with those who think that our army, large as it is, acts as any provocative to aggression, or that any Government likely to accede to power in this country will pursue an aggressive policy. Our military system appears to me to be exclusively framed for purposes of defence. It may be that precaution can be carried too far. It may be that vain alarms may be occasionally entertained, and that different Governments may from time to time incur unnecessary expense for maintaining that system. But, taking our military expenditure from beginning to end—whether we look to our fortifications, whether we look to our Volunteers and Militia or to our regular army—the whole is intended for our defence against apprehended danger from foreign countries, and not to be the means of aggression upon others. Sir, I will now place in your hands the first Vote, that providing for the number of men.

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 148,242 (including 9,349, all ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions, but exclusive of the numbers actually serving within Her Majesty's Indian Possessions), be maintained during the year ending on the 31st day of March 1864."

General PEEL: I am extremely happy that the right hon. Gentleman has supplied what must have appeared to everybody a most extraordinary omission in the Estimates as laid on the table—namely, the omission of the Vote for the number of men, which always stands first: so that it would appear as though Parliament was not to be called upon by any specific Vote to sanction the number of men to be raised, although it will be recollected that the Mutiny Bill is founded upon the number of men, which is inserted in the Preamble of the Bill. I do not mean to say that there was the slightest attempt at concealment as to the number of men provided for in the Estimates; an abstract of the numbers is shown at page 4, and the most ample details of the regimental establishments are given, with one important exception, to which I shall refer presently. Perhaps this omission of the number of men may have struck me more than others, because it obliges me to reverse the operation of that very simple rule which I laid down for the benefit of hon. Members who have not been in the habit of framing Estimates—namely, that by adding a couple of 00 to the number of the men, you get at the amount of your army expenditure. So also, by deducting two figures from the expenditure, you will get at the number of the men. The result of the latter process in the present case will give you 150,600 as the number of the men. When I look at the total force stated in the Estimates, I find the number given is

148,242. But that is not correct. At page 12 is an item of repayments to the Indian Government for the pay and clothing of two regiments of infantry employed in China. These regiments are not included in the total force stated at page 4 to be paid for out of grants made by Parliament. If you reckon the strength of these two regiments at the same standard as the European regiments in China, and add them to the force voted by Parliament, you will find the number of men 150,600, which, taken at an average of £100 per head, to cover all your military expenditure, is about the most correct estimate of the cost of the army that can possibly be framed. I am happy to see that these Estimates include the expense of the disembodied Militia, which was not included last year. The very improved manner in which the Estimates are this year laid before us will enable me to show how little power the House really have when they have once voted the number of men. Under the present arrangement the Estimates are divided into six parts. The first includes all those Votes which depend entirely on the number of men, and may be said to constitute the actual price per man for the regular army. If you take that Vote and divide it among the number of men, you will find the absolute cost per head is £57. The next part is for the auxiliary force. Over that you have no control whatever, with the exception of the addition proposed, as I think judiciously, to be made to the Volunteers. The number of the Militia is fixed by Parliament. You anticipate that only three-fifths of them will be present, and you have provided for them on the *minimum* scale of twenty-one days' pay instead of a month's. If to these two parts you add the charge for the non-effectives, over which you have no control whatever, these three parts together amount to 79 per cent of the whole Estimates, or, as nearly as possible, four-fifths of the entire expenditure is comprised in these Votes. All that the House have left on which to make such reductions as they may deem right is the remaining one-fifth. As regards this, the right hon. Gentleman has shown that of the manufacturing departments and the War Office stores a great portion is for the navy, and over it he has no control. Depend upon it, until you have a more complete control, you will never come within the estimate of £100 per man to cover your whole army expenditure. If the state of Europe were different, and you could reduce your force to 100,000, making a similar reduction in the three Votes to which I have referred, that would not alter the proportionate cost, but rather increase it, because the non-effective establishment would press upon you in a heavier ratio. Instead of 14 per cent of the whole, it would become 28 per cent. As long as you have between 120,000 and 150,000 men the average charge of £100 per head will cover all your military expenditure. I have said that there is one exception to the force included in the Appendix in the regimental establishment, but that is a most important one. It relates to the native troops employed in China. The Recapitulation at the bottom of page 4 is not correct, because that is not the total force. There are in addition to that the Native troops employed in China. I admit that it is a very great improvement that they should be mentioned at all, because year after year I have moved that some notice should be taken in the Estimates of the troops employed in China. Nothing can be more irregular than the practice with regard to those troops; since they went out in 1858, when I was in office, they have not been provided for by Parliament. I defy any one to show any account by which either the numbers or a detailed account of the expense can be ascertained, and, what is still more extraordinary, the manner in which they have been paid. [SIR GEORGE LEWIS: By the Indian Council.] We were told before that they were paid out of the military chest in China. [SIR GEORGE LEWIS: Last year.] Last year we are told they were paid out of the military chest in China. The accounts were sent to China to be checked, and there they remain I suppose, for they have never come back again. I think it is quite worthy the attention of the members of the Committee on Military Accounts to see what number has been employed. Although the number has varied from 3,000 to 12,000, no account has been laid before Parliament. Year after year I have moved, that if these men are employed, they should be included in the Estimates. I was always told that they would be removed before the commencement of the next financial year; but they are there now, and not only are they still there, but the regiments have been relieved by others, and thus they have become a new and permanent part of the British army. I say, that if any Government can employ the Native army of India, which consists of 150,000 men, without any vote and without any account, except a gross sum, there is an end to any control whatever over military expenditure by Parliament. These troops, too, are the most expensive which can by possibility be employed, because not only do they receive Indian pay and allowances, but their employment renders it necessary to give Indian pay and allowances to all the troops employed in the same service. This accounts for the discrepancy between the payments to officers of the army and the payments to officers in the navy. When the contrast was made the other night, I was quite astonished at the amazing advantages enjoyed by the service to which I belong. But if you refer to page 115, you will see that the Major General commanding in China receives just four times the amount of a Major General employed elsewhere, because he is receiving Indian pay and allowances; and that his aide-de-camp, who may be an ensign or lieutenant, is actually receiving more pay than a Major General commanding elsewhere. A Major General in command in China receives £2,535, and his aide-de-camp £697; while a Major General in command at Ceylon only receives £691, and his aide-de-camp £173. This is the effect of employing these Native troops in China. I do not mean to say that troops serving in China are not entitled to some extra allowance; but when the Native troops went there, I was the person who granted Indian pay and allowances, as I felt it was perfectly impossible to pay the European troops less than the troops were receiving with whom they served. What I want to do is to prevent any one having the power to employ a force without its being voted by Parliament, and without its being provided for by the Estimates. It is my intention to move that the number of men proposed by the right hon. Gentleman shall be increased by these regiments now serving in China; and should the Committee disagree with me in that proposal, I shall move to diminish the Vote by the extent of their pay. Another important question connected with the employment of these troops is whether any Mutiny Act applies to them. Certainly the same Mutiny Act as that under which the troops employed with them are serving does not apply to them. When in India they would be under the Indian Mutiny Act; but that is a local Act, and I do not know that it extends to China. It was stated that the reduction of the establishment here was sufficient to meet the increase of pay in China. That of itself is a grave irregularity; but I incline to think it is a delusion. The noble Lord the Member for Stamford (Lord Robert Cecil) moved for an account of the expenses of the troops in China; and when it was laid on the table, it appeared that no account had been received of the India force. I do not understand how the right hon. Gentleman can have paid an account which he has not received; but if he has paid money into the military chest, it may account for the fact to which the hon. Member for Lambeth (Mr. Williams) called attention, that with less men more money was required. Last year the pay for officers on furlough only amounted, or was estimated to amount, to £45,000. This year, it amounts to £130,000. If, then, the expenditure was under-estimated last year, it is impossible money enough could have been saved out of the less number of men at home to pay for the troops in China. I should like to know what the capitation Vote does actually cover—because it is perfectly impossible to ascertain that accurately from these Estimates. They give merely the expense of the pay for the Horse Artillery and Artillery in the Indian depôts; but for the Line and Cavalry in the same depôts, besides the pay, there appear extra charges for beer money and additional pay. The capitation Vote ought to cover all the expenditure which has been thrown upon the Estimates by the change of system. With reference to the reduction of men proposed in the depôts, I deny that 100 men are enough in a depôt. How is the reduction of 100 men per regiment to be carried into effect—by reducing the men or by stopping the recruiting? [Sir George Lewis: By stopping the recruiting.] Then I beg to tell the right hon. Baronet, that this reduction coming into operation with respect to ten years' service men, unless you induce them to re-enlist you may at any moment find your regiments become mere skeletons. Rather than stop recruiting it would be better to discharge those men who were not likely to renew their engagements. I conclude by moving that the Vote for the Number of Men be increased from 148,242 by the addition of the strength of the regiments serving in China, namely by 2,152.

The CHAIRMAN: As I understand, the Motion of the right hon. Gentleman is founded on the fact alleged that a sum of money is asked for wages and provisions greater than is necessary for the amount of men proposed in the Vote. If that be so, the proper course is to move a decrease of the money Vote. With regard to the employment of two Indian regiments, it is not my province to interfere; but a Motion to increase the number of men proposed by a Minister of the Crown would be a departure from the elementary rules of a Committee of Supply, which it would be inconsistent with my duty to permit.

General PEEL: I certainly understood that if I could make out that these men were provided for in the Votes, there could be no objection in point of form to a Motion which would have the effect of causing them to appear upon the Estimates.

The CHAIRMAN: If the right hon. Gentlemen had proposed merely the rectification of an error, there might have been no objection; but a Motion to increase the number of men proposed by the Minister could not possibly appear in the Journals of the House without a manifest departure from the ordinary rules of a Committee of Supply.

General PEEL submitted that what he proposed was in effect the rectification of an error; but he would, of course, bow to the decision of the Chairman.

Sir GEORGE LEWIS: I will explain why I produced the Estimates in their present form. My attention had been directed to the particular point raised by the right hon. Gentleman, and I considered whether I should propose the number given in the present Estimate, or increase it by the two Indian regiments referred to, and also the force maintained at Labuan. I came to the conclusion that the proper course was that which I have adopted. In the first place, there is a difficulty, which, perhaps, the Committee will consider decisive—that we have no materials at the War Office from which we can ascertain the precise number of these Indian regiments. [Sir Frederic Smith: It appears in your own paper.] Well, I am told we have no exact account of the strength of those regiments. At all events, I have followed the practice pursued for many years with respect to the force at Labuan. They are not upon the establishment. The sum asked for the force at Labuan is £4,500; and I propose that with respect to this, as well as with regard to the Indian regiments, the expense should be voted by the House. In former times the money was found by the Indian Treasury, and a settlement took place periodically with the War Office; but in the present year they are brought in upon the Estimates.

Captain JERVIS thought, unless they knew what the force of men was to be, they could not fix the precise sum to be voted.

Sir GEORGE LEWIS said, the Estimate was founded on the information furnished by the East India Government; but the exact strength of the regiments could not be stated.

Captain JERVIS thought it would be a great advantage if the House could possibly know what was the arrangement proposed by the Indian Government with reference to the capitation money.

Colonel SYKES considered the proposal of the right hon. Gentleman opposite (General Peel) a very proper one. The real question was, whether they were to pay for 148,000 or 150,000 men. A clause in the India Act of 1858, introduced by the present Chancellor of the Exchequer, prohibited the employment out of India of troops paid by the Government of India, without the consent of Parliament, but part of the Indian troops were nevertheless employed in China, and their pay had been charged to the British Exchequer, and these numbers ought to be added to the numbers in the Army Estimates. To cover the expense of the recruiting depôts in England and other contingent charges, £10 per man for the European force employed in India was fixed; and as there were this year 72,000 men, the sum of £720,000 was paid for them from the taxes of India; but £3 per man was also charged in addition, for pensions and invaliding, so that £960,000 was paid by India to England in the present year for the European force maintained there. This capitation charge was nothing but a premium for keeping up the European troops in India at the highest possible amount, for the greater the number of European troops there were, the greater would be the receipt here. But what was the meaning of this? The maintenance of the present large European force in India was a great drain upon the youthful blood and sinew of this country, for 7,000 to 8,000 of the flower of its youth had to be sent out annually to keep the troops up at their proper quota. That policy betrayed an unworthy distrust of the Native army of India. It was unjust to India to assume that all her soldiers would be unfaithful to us. Two of our Indian armies, the Madras and Bombay, had proved faithful; and by a Return lately made to the House of Commons it appeared that in Bengal even sixty-two native regiments remained true to their allegiance during the mutiny. The Committee had been told that we could not diminish the number of our troops in China, amounting, according to the last Return, to 5,837. But if we had not committed a breach of faith, and mixed ourselves up with the internecine war, 1,000 or 2,000 men would have been a sufficient force there for our purposes. The charge under that head ought to be considerably reduced, but the forms of the House would not permit him to move an Amendment.

MR. W. E. FORSTER congratulated the Committee that the Estimates were now presented in a more intelligible shape than formerly, and also on the absence of any reference, in the right hon. Baronet's speech in introducing the Army Estimates, to an apprehended invasion. What, then, was the reason why the right hon. Gentleman demanded so large a force? The right hon. Gentleman said that the army at home must be at least a third of its total strength, because the military authorities declared that five years at home for every ten years abroad was the smallest time that could be allowed a corps consistently with a due consideration for its health and discipline. He was not disposed to dispute that statement; but then it was quite a mistake to suppose that the Indian army cost this country nothing; for though it was quite true that the Indian Government paid for the troops actually employed in that country and in the depôts, any increase in the army in India rendered it necessary for the army at home to be proportionately increased. Supposing the augmentation of the European troops in India since the mutiny to have been 30,000 men—[SIR GEORGE LEWIS: It has been raised from 22,000 to 56,000]—but supposing them to have been increased by only 30,000, that would involve, according to the argument of the right hon. Gentleman, the necessity of the army at home being increased by at least 10,000, which, at the ordinary rate of £100 per man, would represent a sum of a million sterling cast annually upon the finances of this country. Some persons might, perhaps, think that should also be thrown upon the Indian Treasury; but he confessed that he (Mr. W. E. Forster) should not like to see the people of India called upon to sustain any greater burdens than those which they already bore. But the fact ought to make the House seriously consider whether or not the Indian army might not itself be reduced. Things were not quite in so deplorable a condition as they were just after the mutiny, for we had then an enormous Native army, and a large European force kept up apparently for the purpose of watching it. The Government deserved great credit for having reduced the Native army; but he thought that now the Committee ought to look more narrowly at the expenditure on the European army. He thought it suggested the question whether further reduction might not be made in the number of troops required both in India and in the colonies.

MR. T. G. BARING said, that India paid the whole of the expenses of the troops in India, and also of the depôts in England; and therefore, although he admitted that, to a certain extent, there was a drain on the resources of England to keep up the strength of the British army in India; yet, on the whole, he did not think this country suffered by keeping up that army in India. He thought that the argument of one hon. Member that the £10 grant was quite sufficient, and of another that the charge was an undue imposition on the finances of India, proved that the estimate had been founded upon a just basis. It should be remembered that two Committees had considered the charge of £10 per head for the men in the depôts, and they were of opinion that it was a fair charge.

MR. W. WILLIAMS rose to propose that the Vote be reduced by 10,000 men. If his Amendment were adopted, the standing army would still be larger by 35,000 men than it was in the time of Lord Aberdeen's Government; in addition to which the Militia would be 70,000 stronger, and there were now 160,000 Volunteers. So that in reality, even if his Amendment were carried, there would be 265,000 more men for the defence of the country this year than in the year 1852. He mentioned that year because it was the year previous to our preparation for the Crimean war. He desired in particular to call attention to the charges for the Ceylon Regiment, the Cape Mounted Rifles, and the Canadian Rifle Regiment. The Canadians were proposing to raise more militia, but not sufficient to protect the colony in case of invasion. The Government of this country ought to make an arrangement with the Government of Canada either to take care of themselves, or to maintain a force sufficient for their own protection. For these reasons he moved for a reduction of 10,000 men.

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 138,242 (including 9,349, all ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions, but exclusive of the numbers actually serving within Her Majesty's Indian Possessions), be maintained during the year ending on the 31st day of March 1864."

Colonel NORTH said, if the entire force was composed of one particular class, he could understand the proposed reduction; but if the hon. Gentleman really meant to divide the Committee, he ought to point out in what branch of the army—cavalry, artillery, engineers, or infantry—he meant the reduction to take place. What proportion of each force would the hon. Gentleman propose to reduce? The cavalry, for instance, were 11,800. Would the hon. Gentleman strike the 10,000 from that number? Or from which force would he take them?

Mr. W. WILLIAMS said, he had heard many questions put when it was proposed to reduce the army, but never such a puzzling one as the gallant Colonel's. He would leave the matter entirely to the Government, and after the great ability displayed by the gallant Colonel he would recommend them to consult him.

Sir GEORGE LEWIS said, that if the Committee agreed to the hon. Member's Amendment, and it were left to him to give practical effect to it, he should feel no little embarrassment. He had already explained how impossible it was to reduce the battalions of infantry, on account of the system of reliefs. The hon. Gentleman could hardly mean to reduce more than half the artillery force, which consisted of 19,000 men; nor could the cavalry force well be spared. The Engineers and the other branches of the service of course would have little chance of escaping extinction; and he hoped therefore that the hon. Member would give some further details as to the manner in which he meant his Amendment to be carried out.

Mr. ARTHUR MILLS said, he should be glad to see that the Government paid more attention to the recommendations of the Committee which sat last year. He should be glad to see the charge for the Canadian Rifles reduced; and if the West India regiments disappeared from the *Army List* altogether, he should be well pleased. He believed them to be in a very inefficient state, and were altogether an anomalous force. With regard to the forces in the East Indies, he could only hope that the amalgamation of the Queen's and the Indian armies, which he had opposed at the time to the utmost of his power, would turn out more successfully than appeared likely at present.

Mr. BUXTON thought it most necessary that the House should express itself in favour of a reduction of military expenditure. He, too, was surprised to find that the Report of the Committee on Colonial Military Expenditure had been entirely ignored by the Government. He thought nothing had ever been more clearly demonstrated than the inexpediency of maintaining garrisons in distant parts of the world which would be entirely inefficient in case of war. It was also shown that it would tend to draw out the self-reliance and resources of the Colonies if they were called upon to supply the forces requisite for the maintenance of order, and that the expenditure might be reduced by more than £2,000,000 if a different system were adopted with regard to the Colonies. He was glad it had been shown that English taxpayers had an interest in the reduction of the forces in India. Before the mutiny we only had 40,000 men in India, whereas we now had 72,000. The Native army, which was formerly 300,000, was now reduced to 100,000; there was no foreign enemy to contend with in that country, and the only purpose for which English troops were required was to keep the Native army in check. 72,000 were far more than were required for that purpose. The loss of life amongst the English troops was frightful; and though not so great as it had been, there must always be a painful sacrifice of life and health connected with the maintenance of a large army in India.

Sir MORTON PETO said, it must be allowed that the Army Estimates were extremely difficult to deal with in detail. What he believed his hon. Friend (Mr. W. Williams) meant to effect by this proposition was to declare that the sum of £15,000,000 was in excess of what the Government ought to spend upon the army for the present year. He did not see anything in the state of Europe to call for such an outlay, and it seemed the less necessary when it was considered that we had about 160,000 Volunteers, beside the Militia, and other forces. With the view of expressing this feeling, he should divide with his hon. Friend if the question were carried to a division; but he would rather recommend him to move a reduction in the amount of the Estimates than in the number of men.

SIR JAMES FERGUSSON said, the Government had already been congratulated on having proposed a considerable reduction in the Army Estimates. What hon. Members below the gangway now seemed to regret was that they had not reduced the efficiency as well as the expenditure. A proposal more illogical and inconsistent than a wholesale reduction by rule of thumb of 10,000 it was impossible to conceive. From the extensive depôts kept in the country there must always be a great many soldiers retained in Great Britain not available for immediate service, but yet on the muster-rolls of the army, and absorbing a considerable portion of the expense. Even although—as was proposed by some hon. Members—the force in India and the Colonies were reduced, it would not be practicable, consistently with efficiency, to reduce their home force below its present point. As he saw the learned Judge Advocate (Mr. Headlam) in his place, he hoped the right hon. Gentleman would inform the House with respect to the Question that had been asked by the right hon. Member for Huntingdon (General Peel) as to the operation in the Mutiny Act, and whether the troops in China came under its provisions. In regard to the reduction in local stores, he stated that it had been the object of successive Governments to have a large amount of stores on hand—equal, he believed, to five years' consumption—in order that in the event of the country being unexpectedly engaged in war they might have a supply on hand to meet that emergency. He would regret if, in order to make a reduction in the Estimates, the Government had departed from that course. He regretted that it was not intended to give the Militia that *minimum* of training which the Royal Commission declared should be the very least they should receive; and could not imagine a more unfortunate kind of economy than a reduction in the period of their training.

MR. DODSON said, the Secretary for War argued that the number of men could not be reduced because there must be troops enough at home, periodically to relieve those abroad. The gallant General (General Peel) maintained, that if the number of men were once voted, all the money asked must necessarily follow. If so, there was no use in having the Army Estimates submitted to the House at all. He saw no difficulty in diminishing the number of men; for if a certain proportion was required to be maintained between the establishments at home and the establishments in India and in the colonies, it was surely easy to make such arrangements as would preserve that proportion; but the Government ought to be prepared to make reductions both at home and abroad, if the House of Commons thought that reductions were expedient.

MR. HEADLAM said, that with respect to the Native Indian troops employed in China they were not under the European or the Indian Mutiny Act, but under Articles of War entirely distinct. He was not aware that there were any of the regiments formerly composing the European force of the Indian army in China. He thought, however, that it would be very desirable now that the amalgamation of the Queen's army and the Indian army was complete that the whole should be governed under one Mutiny Act; and steps would be taken for that purpose.

GENERAL PEEL asked what Articles of War those were to which the right hon. Gentleman had alluded?

MR. HEADLAM replied that he had no knowledge of them.

MR. CHILDERS said, the real question to be decided was, whether the charge for the troops engaged abroad in colonial service could not be reduced. If any reduction was to be made, it must be in the West India garrisons, in those of Ceylon and the Mauritius, and in New Zealand and the Cape, where the relations of the colonists to the natives had occasioned the maintenance of military establishments out of all proportion to the European population. The expenditure for the East and West India colonies (including Ceylon and Mauritius) was estimated at £502,000; and that for the Cape at £575,000. Some explanation was required as to why nothing had been done towards making these colonies contribute more largely to their expenditure, as recommended by the Committee on Colonial Military Expenditure. The revenue of Ceylon was £767,000 a year, its expenditure was only £700,000.

He was aware that Ceylon contributed to the extra allowances and also to the commissariat charges, but he thought the colony should pay as fixed contribution more than £24,000. The Mauritius cost us £150,000; its revenue was between £500,000 and £600,000; and he doubted whether it contributed more than 1-16th of that revenue. He thought at least a further amount of £100,000 ought to be advanced by these two colonies. Further, with regard to New Zealand and South Africa, he thought the Committee should receive some assurance that their cost should receive the attention of Government, otherwise the House should interfere. New Zealand ought not to continue to figure on the Estimates for an average charge of £360,000 a year. He trusted to hear that some means would be taken to satisfy the Committee on these points before the debate closed.

MR. HENRY SEYMOUR said, he regretted that the hon. Member for Lambeth (Mr. Williams) had not given notice of his Amendment. Such a course would have been but an act of courtesy that was due to the immediate parties concerned. He (Mr. Seymour), however, had no doubt but that 10,000 men might be struck off with safety if proper means were taken to effect that object. He also thought a considerable reduction might be made in our colonial military expenditure. Considering, too, that the Yeomanry force cost only £94,000 for 19,000 men, he thought that some reduction might be made in the Voluntary force, and that the Yeomanry force should be made more efficient. The War Department was proverbial for being in a state of disorganization, where, as it was commonly said, six men were employed to do the work of one. Now, why had not the right hon. Gentleman the Secretary for War employed his mind to improve that Department? He found that the administration of the army cost no less a sum than nearly £400,000. He thought that a due retrenchment might be made in that respect. If they had a better administration, they could then hope to see large reductions both at home and in our colonies. There were other colonies that cost money besides those mentioned by the hon. Member for Pontefract. There was China, where, notwithstanding the presence of our large fleet, we had an army of 6,000 men, which he did not consider at all necessary amongst so peaceable a population. This force cost £560,000. No doubt, whilst the present administration of the army lasted, some of those charges were inevitable; but why should not the system of administration be changed? Whilst he thought that great reductions might be reasonably made, in addition to the million already reduced, nevertheless, he could not vote for the Amendment of the hon Member for Lambeth.

Question put.

The Committee *divided*:—Ayes 19; Noes 77: Majority 58.

Original Question put, and *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £5,709,733, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1864 inclusive."

GENERAL PEEL moved that this sum be reduced by £38,000, "repayment to the Indian Government for pay and clothing of two regiments of Native infantry employed in China." Those two regiments were not included in the number of men just voted, and it was necessary to cut off this Vote in order that 148,242 men might be the total force to be provided for out of the army grants. The two regiments in question were not under the Mutiny Act, but were under some Articles of War, but what those Articles were did not appear. The course which he was about to take was the only way by which he could bring those Native regiments under the notice of the House. If, as had been stated, these men were paid for last year out of the establishment then voted, how was it that they were not so included this year? He had great objection to the Government employing Native troops out of India, and he should therefore move to reduce the Vote by the sum which he had named.

Motion made, and Question proposed,

"That a sum, not exceeding £5,671,733, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1864 inclusive."

SIR GEORGE LEWIS found himself very much perplexed as to the mode in which he ought to deal with those Indian troops employed in China. He was told, when they were not introduced in the Estimates, that they ought to have been introduced, and that he was following an irregular course in making a transfer from one Vote to another, when providing for those regiments out of the monies voted for other services. In order to obviate that objection, he had introduced into them the Estimates this year, and had followed the precise practice which had been adopted with regard to the force maintained at Labuan. If, therefore, the sum of £38,000 for those two regiments in China ought to be omitted, so also ought £4,500 for the troops at Labuan. If it was admitted that it was desirable that the regiments should be employed in China, he did not see what other course he had to take. The reason why Native troops were employed in China was because they were less costly than European troops, and Sepoys, from their physical constitution, were better able to bear the Chinese climate. The same remark applied to the small force in Labuan. The Sepoy troops in India were subject to Articles of War passed in a perfectly regular and legitimate manner by the Indian Government, and having the authority of law in India. These Articles of War contained certain special provisions applicable to the Native troops. If he added the numbers of these regiments to the number to be voted in the first Vote, that would not subject them to the English Mutiny Act, and it would be a proceeding inconvenient in practice and never hitherto followed. Should the Committee strike out the item, the only thing to be done would be to recall these two regiments from China, and send out two battalions from this country—supposing that the force in China could not be reduced. He trusted that the Government would be able to effect a reduction of that force, but their effort had been to reduce, not the native Indian troops, but the English troops stationed there.

General PEEL said, the right hon. Gentleman had stated his wish to be the direct contrary of what he (General Peel) desired. His object was to prevent any Government from employing a Native Indian army in China at the charge of this country, without the House knowing and having control over the expenditure. He wanted the right hon. Gentleman to add these two regiments to the number to be voted, and then the House would know what the actual force was; for it was quite evident that the number 148,242 set down in the Estimates was not the total force.

Mr. W. E. FORSTER was of opinion that the Committee ought not to grant money for men that they had not voted.

Mr. W. WILLIAMS said, that the course taken by the Government was unconstitutional, and he should support the Amendment.

Sir GEORGE LEWIS could not admit that there was the smallest force in what the hon. Member called the constitutional objection to passing the item. If he had attempted to procure payment for these two regiments without a Vote of Parliament, something might have been said as to the unconstitutionality of that course, though he believed there were precedents for it. He had, however, taken no such course, but had put the expense in the Estimates. If the Committee chose to refuse it, it was competent for them to do so, and it was impossible for the Committee to have more ample power than they possessed over this expenditure. He could not understand why the right hon. Gentleman should wish to substitute European troops for Native Indian. So far from there being the smallest desire on the part of the Government to keep up an unnecessary number of men on the coast of China, they were using every effort to diminish the force on that station; but if the present force should be necessary, and if, nevertheless, the Committee omitted this item, the Native Indian troops must then be replaced by European troops. There was something capricious in the objection to the item, for the gallant General took no notice of the item of £4,500 for the force at Labuan, which was precisely in the same position, and which was proposed in a former year by the gallant General himself. It certainly would not conduce to the public service or promote economy to negative this sum of £38,000.

Mr. WHITE had much pleasure in supporting the reduction of the Vote. It very often happened that Indian troops were sent to China, and a large amount of expense incurred without notice being drawn to the circumstance; whereas attention would be at once excited if it were proposed to send English instead of Indian regiments.

Sir JOHN TRELAWNY considered that the arguments of the right hon. Baronet (Sir G. Lewis) were mutually destructive of each other. He had first urged the inconvenience that would result from any interference on the part of the Committee with his proposition; but he then stated that he had taken the constitutional course of including the item in the Estimates in order that the Committee might have an opportunity of objecting to it;—and that was the course they were then adopting.

Mr. DODSON said, that the Amendment was one more of form than of substance. The regiments in question could not be included in the 148,000 men voted, because the exact number of men composing them was not known.

Sir GEORGE LEWIS said, it would be impossible to include the troops referred to in the 148,000 men voted by Parliament. The Indian troops were subject to Articles of War containing stringent provisions peculiarly applicable to themselves, and had never been brought under the clauses of the English Mutiny Act.

Mr. KINNAIRD said, the question put by the gallant General with regard to the health of the troops had not been answered. He believed the plan suggested would be of great benefit in a sanitary point of view.

General PEEL said, when he held the office of Secretary for War, troops had been sent from India to China without communicating with him in any way. They were not included in the numbers voted during the present Session.

Mr. T. G. BARING observed, that the high authority of Sir John Lawrence was in favour of the course proposed by the Government. It would be exceedingly detrimental to the discipline of a Sikh regiment to withdraw them from subjection to the terms of the special Act of the Legislative Council, passed in 1860.

Question put.

The Committee *divided*:—Ayes 58; Noes 64: Majority 6.

Original Question again proposed.

Sir MORTON PETO then moved the reduction of the Vote by £255,156, being the difference between the estimate on Vote No. 1 this year and last year. He saw no ground that could be shown for the larger sum now asked for. It was stated that the Estimates had been reduced by over one million sterling; but he maintained that practically they were not reduced at all. £1,133,800 less was taken for Stores; but inasmuch as the total reduction upon the Estimates was only £1,000,000, it followed that there could be no diminution upon any of the other items. In the year 1853 the total amount of the Army Estimates was £8,550,000. This year the amount was £15,060,000—the difference between the present Estimates and those of 1853 being £6,510,000. Was the country at peace or at war? If at peace, on what grounds were they asked for a quarter of a million more on this Vote now than they voted last year? The total military force at present for home service was 436,000 men—an amount which was not at all justified by the present condition of Europe. As regarded our own country various Members of the Government had, again and again, expressed the opinion that there was nothing in the attitude of the North, notwithstanding all the distress which prevailed, to cause apprehension.

Motion made, and Question proposed,

"That a sum, not exceeding £5,454,733, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1864 inclusive."

Sir GEORGE LEWIS said, the Motion of his hon. Friend was founded on the erroneous assumption that there was an increase in the Vote of this year over that in the last. The truth was that the increase was not real, but only nominal. It was simply a question of account, and arose from the additional outlay caused by the increase of depôts of regiments in India, which would be defrayed out of the capitation grant of the Indian Government, and therefore would be cancelled by payments from India. In fact the expenditure thus created was greater than £255,000, and it was only by a saving in other items that the apparent increase in the present Vote was reduced to that figure.

Question put.

The Committee *divided*:—Ayes 28; Noes 96: Majority 68.

Original question again proposed.

Lord WILLIAM GRAHAM inquired how it was that the item for Instruction in Engineering had increased from £3,630 to £3,920, although the number of persons for whose remuneration it was to be voted was one less than last year.

Sir GEORGE LEWIS said, he was unable at that moment to explain this minute point, but he would do so on the report.

GENERAL LINDSAY suggested that the difference was owing to a misprint.

MR. W. E. FORSTER said, he found that this Vote included a large expenditure for the army in the Colonies, and before it was passed he thought the Government ought to give a reason why they had not acted upon the recommendation of the Committee of last year, which, if followed out, would have led to a material reduction. The state of the country was not such as to warrant them in spending a single farthing that could be saved.

SIR GEORGE LEWIS said, that the number of battalions to be employed in the different colonies was a matter of general policy, which was determined upon by the Government at large; and when it was decided, it was the duty of the Secretary for the War Department to prepare his Estimates accordingly. Therefore, it was not a question to be debated on a special Vote of the Army Estimates—it was a question of general Imperial policy. He had before him a statement of the number of battalions stationed in the colonies and of the number of men forming those battalions; and if the Committee wished it, he would state precisely the number in each colony. The subject had been very carefully considered during the recess with the assistance of the Secretary of State for the Colonies, and this was the number of battalions which it appeared to be necessary to maintain in each colony. The Mediterranean stations came first. They must be considered in the light of advanced guards of England. They occupied the line of the Mediterranean and covered our communications with India. Their climate was healthy, provisions were cheaper than in England, and these battalions cost less to the Exchequer than if they were in the United Kingdom. In Gibraltar there were five battalions, in Malta six, and in the Ionian Islands four. On the west coast of Africa there were 987 men; St. Helena 718; Cape of Good Hope, four battalions, consisting of 4,687 men; the Mauritius, two battalions, 2,260 men; Hongkong, including the detachments at Shanghai and other parts of the coast, three battalions, 3,308 men. In the Island of Ceylon there was one battalion, which with the Ceylon Rangers, a local corps, made a force of 2,219 men, which, considering the extent of the island, did not seem excessive. In Australia there was one battalion of 1,048 men. That, certainly, was not an extravagant force for Australia. In New Zealand, where hostilities were going on and where we were maintaining a war establishment, there were five battalions, consisting of 5,594 men. A constant correspondence had been kept up with the Governor of New Zealand with a view to the diminution, if possible, of that number, but it had not been possible for the Government to diminish the force. In Canada there were eight battalions of the line and two of the Guards, making in all 11,825 men. The Committee remembered the circumstances which gave rise to the sending out of large reinforcements to Canada, and the disturbed condition of the United States had rendered it impossible to reduce the force in that colony. In Nova Scotia there were three battalions, 3,655 men. That garrison had been kept up for the same reason as that of Canada. In Bermuda, which was an important port off the coast of America and a great naval station, there was one battalion, 1,168 men. At Jamaica there was a regiment of the line and also some West Indian regiments, making altogether 2,019 men. At Honduras there was a detachment of 302, at the Bahamas 308, and in the other West India Islands 2,316 men. At the Falkland Islands there were 37 and in British Columbia 135 men. Altogether, forty-five battalions, and 59,314 men. These numbers had been carefully examined from time to time, but Her Majesty's Government had come to the conclusion that under the present circumstances this was the lowest force which we could maintain in the colonies, and the estimate which he had submitted to the House had been framed on that footing.

SIR HARRY VERNEY asked whether, if the Protectorate of the Ionian Islands was abandoned, there would be a diminution of four battalions.

SIR GEORGE LEWIS said, that if the Protectorate of the Ionian Islands were relinquished, the four battalions kept there would be withdrawn. Whether it was possible to reduce the strength of the army by these four battalions would have to be considered when the time arrived. As to a question put with reference to the expenditure in the Engineering Department, the principal increase was in the salary of the Director, which was made in consequence of his promotion in rank. The number of men was twenty-eight, and not twenty-six, as it was misprinted.

Mr. HENRY SEYMOUR suggested, that the further discussion of the Estimates should be postponed until the Committee was furnished with the figures which the Secretary for War had laid before them, in a shape which would enable them to test more accurately their bearing and value.

Sir GEORGE LEWIS said, there was included in the Estimates such a statement as the hon. Gentleman seemed to desire.

Mr. HENRY SEYMOUR: The number of men for each colony is not given in detail.

Mr. CHILDERS drew attention to the Votes of men for the Cape of Good Hope, the West India Islands, Ceylon, and the Mauritius, contending that 4,700 men was an excessive number to keep up in the West Indies, while the charge for troops for Ceylon and the Cape of Good Hope was open to a similar objection.

Sir GEORGE LEWIS maintained, that when the importance of the Colonies in question was taken into account, the charge for troops was sufficiently moderate. A reduction of our present force at the Cape of Good Hope might expose us to the risk of another of those Kaffir wars of the cost of which the House had had painful experience.

Mr. CHILDERS said, the balance of revenue over expenditure at the Mauritius averaging nearly £50,000, that Colony might fairly be asked for a larger contribution towards its military establishment than £10,000.

Mr. CHICHESTER FORTESCUE, while maintaining that the Mauritius was valuable to us on Imperial grounds, yet hoped that the prosperity of the colony would soon warrant the demand of a larger contribution from it.

Sir JOHN TRELAWNY animadverted upon the creation of new Field Marshals, involving additional cost to the country, and insisted that it ought to undergo discussion. He would move to report progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

Sir GEORGE LEWIS replied, that of the four Field Marshals promoted on the attainment of the Prince of Wales's majority only one—namely, his Royal Highness the Commander-in-Chief—was now in active employment, and on his appointment it was understood that he was not to claim the increased pay attached to that rank.

The Committee *divided:*—Ayes 25; Noes 80: Majority 55.

Original Question again proposed.

Mr. WHITE hoped the right hon. Gentleman would consent to report progress, otherwise he should move that the Chairman leave the chair. He (Mr. White) was a Member of a Railway Committee which had been sitting all day. He had afterwards gone away for a short time to take a little fresh air, and he had happened to be absent while the right hon. Gentleman made his explanation. He would, however, carefully read his speech to-morrow. He begged to move that the Chairman leave the chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."

Lord LOVAINE thought it rather hard that the business of the nation should be stopped because the hon. Member was absent. He trusted that the hon. Gentleman would, on reconsideration, waive his personal feelings, and consent to the continuance of the debate.

Motion *negatived.*

Sir GEORGE LEWIS stated, that as it was the usual custom not to prolong the Committee of Supply after midnight, he should not persevere.

House *resumed.*

Resolution to be reported on *Wednesday;* Committee to sit again on *Wednesday.*

WAYS AND MEANS.—COMMITTEE.

Ways and Means,—*considered* in Committee.

Mr. Massey in the Chair.

(In the Committee.)

Resolved,

That, towards making good the Supply granted to Her Majesty, the sum of £10,000,000 be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

House *resumed.*

Resolution to be reported on *Wednesday;* Committee to sit again on *Wednesday.*

CUSTOMS ACTS (TOBACCO DUTIES).

Resolution *reported.*

"That the Duty of Customs on unmanufactured Tobacco imported into Great Britain and Ireland, which shall contain less than 10lbs. per cent of moisture, shall be . . . per lb. 3*s.* 6*d.*"

Resolution *agreed to.*

TOBACCO DUTIES BILL.

Bill *considered* in Committee, and *reported;* to be *printed,* as amended [Bill 56]; *re-committed* for *Thursday* 19th March.

House adjourned at half after Twelve o'clock, till Wednesday.

HOUSE OF COMMONS,

Wednesday, March 11, 1863.

MINUTES.]—SUPPLY—Army Estimates—Resolution (March 9) *reported.*

PUBLIC BILLS—*Resolution in Committee* (WAYS AND MEANS), £10,000,000—Resolution (March 9) *reported.*

Ordered — Consolidated Fund (£10,000,000); Mutiny.

Second Reading—Affirmations [Bill 11], *negatived*; Security from Violence [Bill 35]; Gardens in Towns Protection (*Lords*) [Bill 50]; London Coal and Wine Duties Continuance [Bill 27]; Thames Embankment (North Side) [Bill 23], and *committed* to Select Committee.

Committee — Salmon Exportation [Bill 42]; Bleaching and Dyeing Works Act Amendment [Bill 29], on *re-commitment.*

Report—Salmon Exportation [Bill 42]; Bleaching and Dyeing Works Act Amendment [Bill 29].

AFFIRMATIONS BILL—[BILL 11.]

SECOND READING.

Order for Second Reading read.

SIR JOHN TRELAWNY rose to move the second reading of this Bill. Its object was twofold; first, to extend to the Scotch Criminal Law the principle of the Common Law Procedure Act (1854), as to Affirmations in civil cases, and of Mr. Locke's Act of 1861, which added criminal cases, but failed to embrace Scotland, which only had the benefit of the principle in civil cases under an Act of 1855. That principle was, that persons, having religious opinions, may affirm in lieu of taking oaths. The second object of his Bill was to enable any persons in England, Scotland, Ireland, or any of Her Majesty's possessions to make affirmations in all cases where there is inability to take an oath from defect or want of religious knowledge or belief. A judicial oath had been defined legally (*Starkie,* vol. i. p. 22), to be "a solemn invocation of the vengeance of the Deity upon the witness, if he do not declare the whole truth, as far as he knows it." It was not his intention to enter into the question of the policy of requiring oaths, though it might be said that many high authorities were of opinion that it was not the oath which educed truth, but the fear of cross-examination; and that while many conscientious persons objected to take an oath, construing literally the Scripture maxim, "Swear not at all," and justice was thereby deprived of their testimony; on the other hand, false-swearing by persons with no conscience, was a crime of daily occurrence. The legislation of England on this subject had always been elastic. As opinions had rendered change necessary, so the good sense of Parliament had supplied the want which had arisen. Thus, special law existed for Quakers, Moravians, and Separatists. Again, for Jews. And thus a new case being apparent, demanded a corresponding adjustment of the law. He wished to express that he did not introduce this Bill as a Bill for the benefit of sceptics, though he might remind the House of Sir W. Ashurst's dictum cited by Bentham—that no man was so low as to be beneath the protection of the law. But he contended that the State had a complete right to the testimony of every citizen. It was a fallacy, therefore, to argue as if the giving of testimony was merely a privilege. On the contrary, it had been contended, by a writer subscribing himself "A privileged Sceptic," that Christianity in England gave sceptics important privileges, of which many Christians would be glad to avail themselves. The sceptic, being incompetent by law, was exempted from the necessity of giving evidence, in cases where it might be injurious to himself or his friends; he was thus also exempted from serving on juries, from attendance at inquests, from being a militiaman or a special constable, and from giving bail. So well did scoundrels appreciate the advantages the state of the law gave them, that "the oath trick," as it was called, was often resorted to in courts of law. He would put a case of a dignitary falsely accused of some dire offence, the accuser being a felon from Millbank, a notorious atheist, who, being examined on the *voire dire,* declared his belief in an avenging Deity, and a future state of punishments. The accused might be able to adduce in exculpation, say three witnesses of high moral character, whose word would be taken on any Bourse in Europe; but if they were unable to state that they held the belief in future punishment, the accused would not have the advantage of their testimony, and might be convicted. He was prepared to cite several recent cases in which, for want of such a measure as the present, great injustice had been done. He might mention that in 1861, eighty-three petitions had been presented on this subject. He only asked that equal justice might be meted to all Her Majesty's subjects. By the Act 6 & 7 *Vict.*, c. 22, "various tribes of barbarous and uncivilized people, destitute of the knowledge of God, and of any religious belief, in certain of Her Majesty's Colonies," were exempted from the necessity of taking an oath. And the law of India declared that—

> "Any person who, by reason of immature age, or want of religious belief, or who, by reason of defect of religious belief, ought not, in the opinion of such court or person, to be admitted to give evidence on oath or solemn affirmation, shall be admitted to give evidence on a simple affirmation, declaring that he will speak the truth, the whole truth, and nothing but the truth."

A European, destitute of religion might thus be a witness in India; but if the case were referred to a court here, his evidence would, he apprehended, be no longer admissible, thus making credibility an affair of climate! But, indeed, the law as it stood, was one gigantic anomaly. A witness was credible when he stated grounds of incredibility, and incredible as soon as he had proved his credibility by the highest possible self-sacrifice. The law suborned witnesses, and extended to them a mendacity licence. It said to the infidel, you shall gain your cause if you will state that you are a Christian; and to the Christian, you shall not be ruined if you will declare yourself an infidel. In both cases, the lie seemed to be the law's especial delight. And yet what, he asked, was the quality which, if it were the rule in all cases, and in all relations of life, would supersede the necessity of law altogether? He apprehended that this grand desideratum was Truth. We prayed that our magistrates might have grace "to execute justice and to maintain truth," and our law compelled them to execute injustice and to maintain lies. He desired to circumscribe the area of permissive mendacity; and to inculcate the duty of telling truth. Archbishop Whately had said, that "it is not enough to believe what we maintain; we must maintain what we believe, and because we believe it." After all, all he was contending for was to put the honest sceptic at least on as fair ground as the felon, whose evidence was taken *quantum valeat.* His opinions might or might not affect his credibility as a witness, but they ought not to render him incompetent. He was tempted to quote the words of Bentham on this system, who asserted that—

> "If the discovery of truth were the end of the rules of evidence, and sagacity consisted in the adaptation of means to ends, the sagacity displayed by the sages of the law in defining these rules was as much below the level of that displayed by an illiterate peasant, or mechanic, in the bosom of his family, as, in the line of physical science, the sagacity shown by the peasant was to that evinced by Newton."

He was happy to say that his views on this question derived support also from the writings of various living authorities. He would read a passage from the right hon. the Chancellor of the Exchequer—

> "It does constitute a civil inequality when certain persons are singled out to make a declaration limiting, or tending to limit, the discharge of their obligation as Members of Parliament, or as holders of any other office of trust. But let me look at this declaration as a security. If it be a security, it is one which each person may interpret for himself; and I must confess it appears to be such, that while it may possibly fetter the hands of a very scrupulous man, those persons who assume to themselves an ordinary freedom will find very little difficulty in exercising under the pressure of it nearly all the liberty which they would exercise even if there were no such restraint. Now, it is not good policy to depend upon declarations the whole force of which depends upon private interpretation."

Again—

> "There is no use in imposing in any shape civil disabilities on account of religious opinions." [3 *Hansard*, clxix. 1048.]

He would also read a valuable extract from an excellent work by Sir George Lewis, on *The Influence of Authority in matters of Opinion*, highly confirmatory of the line of argument he had taken—

> "The attempt to propagate religious truth, and to crush religious error, by the criminal law and by penal inflictions, though it has, to a certain extent, met with a very decided success, is subject to strong counteracting forces. A man who attests the sincerity of his religious faith by the sacrifice of his life, or of his native country, his worldly possessions, and his means of gaining a subsistence, is respected for his fortitude, disinterestedness, and honesty, even by those who do not share his opinions. He is not regarded as a common malefactor, whose overt acts have been dangerous and pernicious to the security and peace of society, and have drawn down upon him the deserved punishment of the law. There is a sympathy with his sufferings, and a consciousness that the State, instead of gaining his conviction by the legitimate weapons of persuasion and reason, has, being the stronger, used its strength for causing its own opinion to prevail. A man who, like

Galileo, makes a feigned and insincere submission to the opinion of the supreme power, and reads his recantation under duress, is scarcely considered a free agent, and his conversion confers but little credit upon the coercing party. Hence the use of force to diffuse religious opinions, by admitting the failure of reason in the individual case, has seemed to raise a presumption that reason was on the weaker side. True opinions in religion can, in the long run, only be propagated by reason, and that voluntary defference to authority which implies reason; but false opinions in religion can be as well propagated by force as true ones. The sword, the stake, and the gibbet are as good arguments in behalf of Mahometanism as of Christianity. In this way, the use of the civil power to repress religious error has been accounted almost as an admission that the other side were in the right; martyrdom has been regarded as a sign of truth as well as of sincerity; and the infant Church has been said to have been watered by the blood its martyrs." [Sir GEORGE LEWIS on *The Influence of Authority in Matters of Opinion*, p. 294.]

Lastly he should read the House a passage for which he should offer no apology, as it was from that great thinker and leader of opinion Mr. J. Stuart Mill—

"It will be said, that we do not now put to death the introducers of new opinions; we are not like our fathers who slew the prophets; we even build sepulchres to them. It is true, we no longer put heretics to death; and the amount of penal infliction which modern feeling would probably tolerate, even against the most obnoxious opinions, is not sufficient to extirpate them. But let us not flatter ourselves that we are yet free from the stain even of legal persecution. Penalties for opinion, or at least, for its expression, still exist by law; and their enforcement is not, even in these times, so unexampled as to make it at all incredible that they may some day be revived in full force. In the year 1857, at the Summer Assizes of the county of Cornwall, an unfortunate man, said to be of unexceptionable conduct in all relations of life, was sentenced to twenty-one months imprisonment, for uttering, and writing on a gate, some offensive words concerning Christianity. Within a month of the same time, at the Old Bailey, two persons, on two separate occasions, were rejected as jurymen, and one of them grossly insulted by the judge and by one of the counsel, because they honestly declared that they had no theological belief; and a third, a foreigner, for the same reason, was denied justice against a thief. This refusal of redress took place in virtue of the legal doctrine, that no person can be allowed to give evidence in a court of justice, who does not profess belief in a God, (any god is sufficient), and in a future state; which is equivalent to declaring such persons to be outlaws, excluded from the protection of the tribunals; who may not only be robbed or assaulted with impunity, if no one but themselves, or persons of similar opinions be present, but any one else may be robbed or assaulted with impunity, if the proof of the fact depends on their evidence. The assumption on which this is grounded, is that the oath is worthless of a person who does not believe in a future state; a proposition which betokens much ignorance of history in those who assent to it (since it is historically true that a large proportion of infidels in all ages have been persons of distinguished integrity and honour); and would be maintained by no one who had the smallest conception how many of the persons in greatest repute with the world, both for virtues and for attainments, are well known, at least to their intimates, to be unbelievers. The rule, besides, is suicidal, and cuts away its own foundation. Under pretence that atheists must be liars, it admits the testimony of all atheists who are willing to lie, and rejects only those who brave the obloquy of publicly confessing a detested creed rather than affirm a falsehood. A rule thus self-convicted of absurdity, so far as regards its professed purpose, can be kept in force only as a badge of hatred, a relic of persecution; a persecution, too, having the peculiarity that the qualification for undergoing it is the being clearly proved not to deserve it. The rule, and the theory it implies, are hardly less insulting to believers than to infidels. For if he who does not believe in a future state necessarily lies, it follows that they who do believe are only prevented from lying, if prevented they are, by the fear of hell. We will not do the authors and abettors of the rule the injury of supposing that the conception which they have formed of Christian virtue is drawn from their own consciousness." [J. S. MILL, *On Liberty*, p. 54.]

He would occupy the attention of the House no further. He had stated cases exhibiting and illustrating an undoubted evil; he had those precedents in actual operation in the case of the law of India, as settled by eminent jurists, according to which law Europeans, being infidels, are received as credible witnesses. He had pointed out the inconveniences which might, and probably would result, if some measure like this were not adopted; and knowing the readiness of Parliament to adapt its laws to the exigencies which arise from time to time, he left the fate of the Bill with full confidence in the hands of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."

THE ATTORNEY GENERAL said, he should take upon himself to do that which the hon. and learned Member for Wexford had given notice of doing, namely, to move that the Bill be read a second time that day six months. He was not prepared to contend that the law upon this matter ought to be different in different parts of the Queen's dominions; and if the object of the Bill had been to assimilate it, he should not have risen to oppose the measure. But he could not shut his eyes to the fact that the pith and substance of the Bill were to be found in the second clause, and he was unwilling to do away with the security which was at present provided, by oath or solemn declaration, for arriving at the truth. The history of the law upon the subject of oaths and their administration would show that the second clause would go much beyond the relaxation and modification of the law which had been sanctioned by precedent. Connected with all the changes which had been made there was one important condition, which was entirely dissociated from the principle involved in the second clause, and that was the condition of religious belief in a Supreme Being, and in a future state of rewards and punishments. Perhaps he might be allowed to state shortly the history of the changes in the law. At common law no evidence was admissible which was not given under the sanction of an oath, though with regard to the form in which the sanction was given the law was justly tolerant, requiring only that the oath should be administered in the form in which it would be binding on the conscience of the person who took it. For instance, while a Christian took the oath on the New Testament, the Jew was permitted to take it on the Old, the Mahomedan on the Koran, the Hindoo by touching the foot of a Brahmin, and the Chinaman by breaking a saucer. It was not till the reign of William III. that the affirmation of the Quaker, even in civil cases, was made equivalent to the oath taken by other persons, and it was not until the 3 & 4 *Will.* IV. that the affirmation of Quakers and Moravians was made admissible in all cases. By the 1 & 2 *Vict.* c. 77, persons who had been Quakers or Moravians, but had ceased to be so, and yet still retained their religious scruples with regard to the taking of oaths, were allowed to make an affirmation just as if they still remained in the sect. By the Common Law Procedure Act of 1854, which was still further extended in 1861, it was made lawful for the judge, upon being satisfied of the sincerity of an objection to an oath, to allow the witness objecting to make an affirmation instead, provided he first solemnly declared that the taking of an oath was, according to his religious belief, unlawful. Such was the state of the law at the present moment; and in all the changes that had been made religious belief was retained as an essential condition. Hitherto, therefore, though the form might have been changed, the substance was retained; but if the House were to adopt the second clause, they would introduce an entirely new principle. By the Common Law Procedure Act of 1854, and the Act which followed it in 1861, the affirmation was substituted for the oath only in legal proceedings, civil and criminal, but the first clause of the present Bill would extend the privilege to any case in which persons might be called upon to take an oath. It was intended, therefore, to take effect in the case of jurymen, who at present would not be allowed to use the form embodied in the first clause. He had not heard of any general complaint from jurymen upon the subject, but at all events the matter as concerned jurymen was a small one. But the Bill would go much further. A gentleman called upon to take the oaths at the table of the House, those required to be sworn by Customs or Revenue regulations, or upon appraising property, would be all included in the scope of the Bill. A source of great inconvenience would be thus introduced. Was it right, because by the Common Law Procedure Act the Judges of the land, who were men of great experience and sagacity, should be satisfied of the sincerity of the objection before allowing an affirmation to be substituted for an oath, that any person whatever having to administer an oath should be made judge in this matter? He now came to the second clause, and, inasmuch as it was a clear departure from the principle of the old law, got rid of the sanction of religious belief, and of the moral sense connected therewith, and was calculated to create much inconvenience and evil, he felt it to be his duty to object to the proposal. The second clause declared that any person who, by reason of immature age or want of or defect of religious belief, ought not, in the opinion of the Judge, to be admitted to give evidence on oath or solemn affirmation, should be admitted to give evidence on a simple affirmation. At present, when a child was offered as a witness, if the Court was satisfied that, by reason of immature age or from the want of proper parental control or instruction, the child had no sense of a future state of reward and punishment, the trial might be postponed and the child was commonly committed to the care of the prison chaplain until the next sessions, with the view that in the mean time it might be brought into a fit condition to give evidence. The second clause of the Bill did not in any way provide for that case; and yet, if the child was in the state he had described, it was not to be supposed by any reasonable man that the child could be in a condition, upon a simple affirmation, to speak the truth and nothing but the truth. If a child was intelligent enough to understand the effect of the affirmation, it would be no great stretch of imagination to suppose that in this country the child had been taught the rudiments of the Christian religion, and it was not among children that those rudiments had the least force. He therefore thought the portion of the clause providing for immature age uncalled for; but he looked upon that as the minor, and subordinate portion, the most essential part being the proposed enactment in cases of the want or defect of religious belief. He might observe that, apart from other objections, the machinery of the clause was defective; for one Judge in one court might be of opinion that a man ought not to be permitted to take an oath, while another Judge in another court might take a different view of the condition of the same man's mind. But the main point was, that they were called on to accept evidence in the absence of that assurance or guarantee of religious belief which had hitherto been looked on as indispensable in courts of justice; and the object of which was to secure, as far as practicable, that the persons making statements in those courts by which the rights and liberties of their fellow-subjects were adjudged should be true witnesses. That result was by the existing practice attained, though there might be a few instances to the contrary; and the proposed change would be productive of inconveniences far greater than any which the Bill would prevent. There was a class, and he feared a numerous class, of persons who had such a defective moral sense that they were not persuaded of the necessity of telling the truth simply as the truth, and who would not hesitate to state upon a simple and bare affirmation that which was untrue, if they fancied it their interest to do so, but who so far had a conscience that when an oath was administered they felt an obligation not to depart from the truth. This was a circumstance which those regarding the administration of justice practically, and not indulging in mere theories, should not overlook. It was often discovered that a witness attempted to evade the form of kissing the book, showing thereby that, though defective in moral sense, he felt the obligation of an oath; and reliance might be placed on the sworn testimony of such a person. It appeared to him that the measure would be productive of no benefit in the administration of justice, while many practical inconveniences were likely to arise in the working of the second clause of the Bill. He should, therefore, conclude by moving, as an Amendment, that the Bill be read a second time upon that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

MR. ROEBUCK said, it was a lamentable thing, that when any reform in the law was proposed, the reform was generally opposed by practising lawyers. The measure for admitting parties to a suit to be witnesses was opposed by almost every practising lawyer, but he thanked God that the vaticinations of those learned men were not listened to, and the consequence was that parties to a suit were now examined, and great benefit was the result. That opposition to legal reform was, after all, not extraordinary; for law, in the eye of the practising lawyer, was not a science, but a craft to be studied as a means of procuring wealth and honours, but not for the purpose of improving the means of governing mankind. The practising lawyer's mind was like molten iron put into a mould, where it hardened and remained hard for ever. English law contemplated two classes of objections—one to the competence of a witness, and the other to his credibility; and he supposed the hon. Baronet meant that the evidence of that class of persons who were now included among incompetent witnesses should be received subject to observation. In reply to the argument of the hon. and learned Attorney General, that the main object was to obtain the truth, he must observe that the object was not to obtain the truth from every witness, but to give to the trying judges all the means and appliances—including the testimony of persons with no religious belief—to enable them to come to a correct decision. The course of proceeding pursued at present sometimes excluded good evidence and took the bad. A witness got into the witness-box, and, being examined on what was called the *voire dire,* was asked whether he believed in a God and in a future state of reward and punishment, and, on replying in the negative, he must go down. Now, that man had told the truth. Another witness of precisely the same opinions declared, on being similarly questioned, that he was a believer, and the consequence was that the truth-telling witness was shut out and the false one accepted. That was an argument he had never heard answered. He knew that in the world's opinion the state of mind called unbelief was a crime, or stain at least; but the world did not generally seem to recollect that belief and unbelief were not acts of volition.

Consequently, there might be learned, good, and honourable men with minds in that unhappy condition that they did not believe the national religion. The hon. and learned Attorney General spoke about persons of immature age. What was the practice when a little girl of seven or eight years of age came forward as a witness? The Judge, putting on a grave air, asked her whether she knew the consequences of not telling the truth, and on replying that she would then go to a bad place, she was admitted to give evidence. Now, first of all, it was known that children had no idea of death; and, in the next place, the notion of a little girl of seven or eight years of age having in her mind anything like a conception of a future state of reward and punishment was so ridiculous that no man could possibly believe it. His hon. and learned Friend said, in such cases the child was instructed by the chaplain. What was the child taught? She was taught words. They could not give a child of that age an idea of a state of future rewards and punishments. On that point various opinions had been held in all ages among different communities. He believed that it was generally known that in the Pentateuch there was no statement with respect to a future state of reward and punishment, and the oath taken by the Jews had nothing to do with the vengeance of God after death, they believing that a special vengeance would fall on the perjurer during life. Intelligent Christians did not believe in special interpositions of Providence, but were of opinion that the world was governed by general laws which might probably bring upon them evil consequences in this life on account of taking a false oath, and they also believed that a false oath would be followed by punishment hereafter. He had lately been reading a curious book in reference to the doings of Dr. Pusey. It stated that the doctor was lecturing a class of young ladies, and pointed out to his trembling listeners the dreadful consequences of withholding any part of the truth, or of telling a lie at confession, and illustrated the subject in this way. He said that he met one day in the streets of Oxford a man who said, "I have been burning in hell for one hour because I told you a lie in the confessional." The man suddenly disappeared, but Dr. Pusey called at his house, and found he had been dead an hour. That was an illustration of the idea entertained of the consequences of taking a false oath, and the hon. Baronet who proposed the present Bill did not desire to make any change in such a case, but only wanted to bring before the tribunals everything in the way of evidence, and not to shut out evidence by a general rule of law. What was the consequence to society of the existing rule? Why, if a man not believing in a future state of reward and punishment saw another receiving every possible injury, he was, though a truthful and honourable person perhaps, excluded from giving evidence; and, again, by declaring himself to be an unbeliever a man might relieve himself from the obligation and burden of being a juryman.

Sir JAMES FERGUSSON said, he thought that the question ought to rest on the simple and honest feelings of the people of the country. He conceived that the hon. and learned Gentleman who had just sat down had stated grounds for supporting the Bill which must have given pain to many persons in that House, and which were opposed to the conscientious opinions of the majority of persons out of the House. The hon. and learned Member said that by the existing law false evidence was admitted, and true evidence rejected; but it should be borne in mind that it was impossible by any precaution entirely to guard against the admission of false evidence, and that all they could do was to take the highest standard of credibility. That was what the law did, and if in some instances it failed, it had at least taken every precaution which it was in its power to adopt. There was but one standard which possessed anything approaching to a true test, and that was belief in those doctrines which regulated in the highest sense honour and truth. The hon. and learned Member had stated that children could not form ideas as to a future state of rewards and punishments. In that opinion he could not agree. The doctrines inculcating an adherence to truthfulness were of the simplest and most elementary character, such as children could understand, while they were suited also to the comprehension of the wisest persons. The hon. and learned Member spoke of adherence to the national religion being required as a test of credibility, but belief in a future state was not confined to Churchmen; it was shared in by Dissenters and Jews. He had to apologize to the House for dealing with theological topics, but they had been introduced on the other side. The hon. and learned Gentleman spoke of the wrong to individuals and the wrong to society which was done by the present system; but the outrage which would be committed on the feelings of the great mass of the people by such a change as was proposed would be a greater mischief than any that would be redressed. If an individual unhappily occupied a peculiar position in regard to religious belief, he must bear the consequences. He hoped the House would pause before they swept from the statute book that valuable landmark of the national religion.

SIR FRANCIS GOLDSMID said, he should support the second reading of the Bill. He would not dwell on the first clause, after the admission of the hon. and learned Attorney General that there were some defects in the law which that clause would remedy, an admission which he (Sir Francis Goldsmid) should have thought a sufficient reason for reading the Bill a second time. But there was no doubt that the main question to be considered was that raised by the second clause, and was whether the present state of the law promoted the ascertainment of truth in courts of justice. If it did not—and he was of that opinion—he believed there was not anything in the conscience of the English people that would require the maintenance of a law which placed a barrier in the way of arriving at the truth. Before considering the main question, however, he would say, that whilst concurring in most of the arguments of the hon. and learned Member for Sheffield, he could not agree in his observation respecting the Pentateuch. He (Sir Francis Goldsmid) did not think that a fitting opportunity for biblical disputation or for the citation of texts, but would content himself with remarking that the best critics were of opinion that the Pentateuch, as well as other parts of the Old Testament, did contain references to a future state. With respect to the means to be adopted for ascertaining truth in legal investigations, it was in the present day admitted as a general rule, that the most effectual way of accomplishing that object was to let in any evidence that might be offered, whether somewhat more or somewhat less trustworthy, and to leave to the judge or jury who might have to decide the question of fact, the task of weighing its different degrees of credibility. In order, therefore, to justify that exception from the general rule which was now under consideration, it must be shown that the evidence which it shut out was not only somewhat less trustworthy than that which it admitted, but that the evidence excluded was so utterly undeserving of credence as not to be fit to be weighed or compared with that which was let in. And again, in order to show this, it must be shown, first, that infidels or persons of defective religious belief were necessarily disposed to give false testimony; and secondly, that all such persons were at present excluded from being witnesses. Now, he (Sir Francis Goldsmid) denied both of these propositions. It would not be contended that persons who did not believe in a future state must therefore think robbery or murder allowable. And if this were not asserted, could anything but mere prejudice lead to the assertion that they thought it perfectly permissible to bear false witness against their neighbours? The truth was, that although those who were strongly attached to revealed religion might rationally maintain, that had there been no revelation, the leading principles of morality would not be as clearly recognised as they are; yet now, at all events, these principles had come to form so completely a part of public opinion, had been so thoroughly incorporated with the human mind, that they were admitted by all, whether believing or not believing in the source from which they might originally have proceeded. There was therefore no solid ground for the opinion that because a man was an infidel, or of defective religious belief, he would be inclined to give false evidence. But secondly, even if such could be shown to be the case, all such persons were not now excluded The best portion of them were shut out the worst were admitted. If an infide, not being interrogated on the *voire dire*, took without objection the oath which for him was a mere idle ceremony; or if, being so interrogated, he professed religious opinions which he did not entertain; he was received as a witness. If he was too conscientious to take either of these courses, he was excluded. It seemed to him (Sir Francis Goldsmid) that such a law could not tend to the satisfactory investigation of truth, and that the proposed change in it was desirable and indeed necessary. He might add that one of the most learned Judges on the bench and also a man of known piety—Vice Chancellor Page Wood—had advocated a measure similar to that before them.

MR. HENLEY said, he could not support the second reading of the Bill. If he had had any doubt as to the course he should adopt, the speech of the hon. and learned Member for Sheffield would have decided him. The hon. and learned Gentleman had spoken of a practising lawyer like molten iron cast into a mould and taking a set and stereotyped form, and the description was the more vivid because the hon. Gentleman had himself undergone the process. The hon. and learned Member had certainly not forgotten one rule of his profession, which was, in a bad case to abuse the witnesses, for he had plainly hinted that the hon. and learned Attorney General was incompetent to give an opinion on the subject. The argument as to a man being received as a witness who said he believed in a future state, but in reality did not, only went to show that under any circumstances it was impossible to avoid having false witnesses at some time. If the Bill was allowed to pass, the time of courts would be wasted by the introduction of long theological arguments as to how far the peculiarity of a man's religious belief affected his credibility. He believed that the inconvenience of such a practice would be much greater than any inconvenience that could arise under the existing law, which practically worked very well. He looked upon religious convictions, and a belief in a future state of rewards and punishments, to be the great and true standard that should be used, and he should therefore vote against the Bill.

Mr. LOCKE said, that there was no fear of prolix theological discussions in courts of law, because juries would readily make up their minds as to the credibility of witnesses with peculiar religious views. Indeed, the point had frequently been raised within his own experience. On his circuit a learned friend, now no more, who had been raised to the bench, invariably urged on the jury that they should make religious belief the test of credibility, and with that view contrasted the affirming Quaker with the swearing Church of England man. Hon. Gentlemen who opposed the Bill looked upon the question in an entirely wrong point of view. They seemed to think that it was a great benefit or a pleasure to a man to be summoned as a witness. As a general rule the duty of appearing as a witness was regarded as a very disagreeable one, and but for the subpœna, and the consequence that would follow non-attendance, many persons whose evidence was necessary to the right decision of a case would not appear. It was a benefit to a man to be a witness in his own case, and that privilege was only recently conferred on suitors. The question was one of utility—one of common sense—as to what the suitors of the country had a right to expect at the hands of the House. It was a question whether or not a man should be entitled to have all the evidence which he could obtain heard before the court. A man could not pick his witnesses to any particular transaction ; he could not select them according to their religious belief, but must take them because of their knowledge of the matter in dispute. The same objections which were now urged against this Bill, were urged against the Bill which he had brought in, in 1861, to enable witnesses to make an affirmation in criminal cases, where, from alleged conscientious motives, they refused or were unwilling to be sworn, and thereby extending the provisions of the Common Law Procedure Act, which only applied to civil actions, to criminal proceedings also. That Bill, however, passed, and had been found to work most beneficially. An hon. and learned Member for an Irish Constituency had given that Bill his most decided opposition, and had used many of the arguments against it which had been heard that day. That hon. Member forgot, while using those arguments, that the law which he (Mr. Locke) was then endeavouring to pass for England was already the law in Ireland and had worked well. He was not aware that his learned Friend the Attorney General, among the different Acts which he had cited, had made any mention of the Act passed by Lord Denman for admitting the evidence of convicted felons. By that Act persons, who by the law of England were held to be infamous and therefore incapable of giving evidence, were admitted as witnesses; and he would appeal to hon. Members who were in the habit of taking part in the proceedings of criminal courts, whether they had not often seen convicted felons come straight from the gaol clad in the prison dress and enter the witness-box and give their testimony. This Bill of Lord Denman was passed on the ground of the necessity of admitting the testimony of those who had a knowledge of facts connected with the case, and this Bill was founded on the same principle, and surely it was absurd to contend that while they might receive the testimony of a man steeped in crime they might not do so in the case of the man whose character was unimpeached, merely because he had the truth and honesty to declare his want of religious belief. The Bill before them, proposed that every man should be allowed to be called as a witness subject to the penalty he would undergo if he committed perjury. The opposition to it was grounded on sentimental objections as to religious belief, in the face of the fact that even though life and death depended on the testimony of a person who had the honesty to admit he did not believe in a future state of rewards and punishments, his evidence as the law now stood was excluded. A plaintiff or defendant, prosecutor or prisoner, had a right to demand that every witness who possessed a knowledge of the facts of a case should be examined, and it was for the judge and jury to scrutinize and weigh his evidence. Before hon. Members could say that the evidence of a person who stated that he did not believe in a future state of rewards and punishments should be excluded, they ought to establish this proposition, that the evidence of those who professed a religious belief was always true, while the evidence of those who did not possess such belief was invariably false.

Mr. INGHAM said, he considered that no witness should be excluded from giving evidence who was capable of speaking to facts material to the investigation of a case. There was full opportunity in each instance to test the credibility and trustworthiness of each particular witness. He should therefore support the Bill.

Mr. CONINGHAM said, he for one did not regard speculative or abstract religious opinions as the true measure of a man's veracity, though it might of his intelligence. What was required was that a man should be restrained by moral convictions, which appeared to him to be altogether independent of speculative ideas on sacred matters. He believed that the proposed change in the law was much required, and he therefore hoped that the Bill would be read a second time.

Sir CHARLES DOUGLAS observed that the second clause of the Bill, which permitted children and persons of defective religious belief to be examined, was the same as the law now in operation in India, so that the principle had already been recognised. The Attorney General had carefully omitted to notice the fact, that the words proposed were identical with those of the law in India. As the law now stood the Attorney General might be in the enjoyment of a vast estate in India, obtained by the evidence of a man of no religious belief, under the law we had sanctioned in India. Yet that man, whose evidence had so gained to the Attorney General great possessions, by whose truth these were rightfully adjudged, would be, if in this country, unable to save his learned Friend from the consequences of a malicious criminal charge, if he were the only witness the Attorney General could bring to assist in proving his innocence; and thus, on account of the defective religious belief of a witness whose evidence had gained an estate or saved a life in one part of the Queen's dominions, in another, truth and justice might be defeated by a malicious conspiracy. The only safety in the administration of justice was to admit all witnesses and take their evidence *quantum valeat.* He would mention a case which would show the necessity there existed for a change in the law. In November last a case was tried, and one of the defendant's witnesses—a member of the Affirmation Society—on coming into the box declined to take an oath, but expressed his readiness to speak the truth if he were allowed to do so. The Judge inquired under what obligation he would speak the truth, and the reply was the obligation of honour. The Judge said that that was not sufficient, and the witness added, that he believed if a man did not tell the truth, he violated his conscience. He was then asked whether he believed in a future state of rewards and punishments, and upon his replying in the negative, adding that he believed the punishment would be in this life, his evidence was rejected. Surely, the defendant in that case had a right to complain that the state of the law as it now existed worked an injustice to him in that instance. The evidence of a witness named Clark, who believed in God, was rejected because he did not believe in a future state of punishment; while the testimony of another who was sworn against his conscience was received. He put it to the House whether such a state of things ought to be suffered to continue, and called upon them to affirm the second reading of the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided* :—Ayes 96; Noes 142: Majority 46.

Words *added.*

Main Question, as amended, put, and *agreed to* :—Bill *put off* for six months.

[For Division List *see* Appendix.]

SECURITY FROM VIOLENCE BILL.

[BILL 35.] SECOND READING.

Order for Second Reading read.

MR. ADDERLEY, in rising to move the second reading, said, the Bill was short and simple, its object being the introduction of whipping as part of the punishment of garotters. The preamble was a transcript of the definition of a garotter drawn up by the late Lord Campbell for the Consolidation Act of 1861, and the rest of the Bill was taken from the Act which provided a similar kind of punishment for attacks upon the Queen. He hoped that the House would not, on that occasion, enter into the details of the measure. By the details he meant whether the punishment of whipping should be administered for the second offence, or only once, or whether the whipping should be public or private. He trusted they would confine themselves to the principle of the Bill, which was whether the punishment of whipping should be applicable to garotters. The right hon. Gentleman (Sir George Grey) had, on a former occasion, stated several objections to the Bill. The first was that by the Consolidation Act of 1861 the whipping of adults was left on the statute book in only one instance—offences against the person of the Queen—and that, consequently, the House was now asked to retrace its steps. His answer was, that if his proposition would add to the exception referred to another case strictly homogeneous, he was not proposing to go backward, but, on the contrary, to follow suit. It might be said that the man who for the sake of notoriety made an attack upon the Queen, and the man who to get a purse struck another upon the back of the head from a dark lurking place, did not belong to the same category. He would leave all metaphysical distinctions of that nature to be settled by the Home Secretary. What he maintained was that the garotter and the man who used violence against the Queen belonged to the same category in this sense—that the motives which actuated them were so low, and their sense of distinguishing between right and wrong was so degraded, that they could only be deterred by forcible appeals to their fear of physical pain. His aim in the Bill was the stoppage of a particular crime; and if he could only show that the punishment which he proposed, and which would only be applicable to criminals of that description, would put an end to that crime, it was not retracing their steps, but progressing towards the main object in view of all punishment. Since the subject was last before the House he had received numerous letters—more, indeed, than he had been able to acknowledge—from magistrates, governors of prisons, and philosophical writers, all concurring in opinion that in many cases there was no punishment so effectual and so much to the point as corporal chastisement. The next objection was, that juries might hesitate to convict garotters if they thought it possible that the judge would prescribe whipping as part of the sentence. He thought that argument was suggested rather by a recollection of the old system of excessive and brutal flogging than by anything contained in the Bill. But the Home Secretary had entirely mistaken the feeling of the public. The opinion was almost universal that punishments had become too weak and uncertain to stop crime, and there was a general impression abroad that a greater variety of punishments must be devised to meet new and increasing forms of outrage. Indeed, the feeling of the country seemed to be, that the penalty of death ought to be inflicted upon a second conviction for garotting; and there could be no doubt, that as the law presumed that a man contemplated the probable effects of his act, a garotter might fairly be considered a murderer. The only reason for not putting him to death was that it was expedient to leave him some motive for restraining his violence to save his own and his victim's life. The next objection was the strangest of all—that some garotters might not have health or constitution, or be of a fitting age, to bear corporal punishment.

SIR GEORGE GREY explained, that what he had stated on the introduction of the Bill was, that the right hon. Gentleman had not said whether the power of directing flogging should be discretionary with or imperative on the Judges; that if imperative, it could not be inflicted in all cases; and if discretionary, it would not be inflicted at all.

MR. ADDERLEY said, whether the sentence were discretionary or imperative he could not understand how a man, who was capable of springing like a tiger from his lair upon an innocent pedestrian in the street, throttling him and rifling his pockets, should all of a sudden fall into so delicate a state of health as should prevent him from being able to bear a flogging. There might be examples of such violent invalids, such ferocious valetudinarians, but they were phenomena for which no Act was bound to provide. Another objection was, that there might be other crimes which ought to be treated in the same way as garotting. He had no doubt that there were other cases which should be subjected to the same treatment, and he trusted the Home Secretary would find them out, and legislate for them himself next Session; but meanwhile, having got one clear case before them, there was no reason in the world why they should not deal with it at once. The last objection was, that flogging, though effectual in the army and navy and in prisons as a means of enforcing order and subordination, would not be proper in cases which had to go before a jury. He contended, on the contrary, that the process of a trial under the eye of a jury would afford a check against abuse in the use of whipping which did not exist either in prisons or in barracks, where corporal punishment might be carried too far. He would next meet the objections of the hon. and learned Member for Sheffield. He knew that the hon. and learned Gentleman's objections arose from most benevolent feelings; that he thought all corporal punishments brutal and degrading; and the hon. and learned Gentleman had said he had himself undergone the infliction in his younger days, and did not believe he had derived any good from it. But if the hon. and learned Gentleman had suffered as the hon. Member for Blackburn (Mr. Pilkington) had, he would see the distinction between the application of whipping to a schoolboy and to a hardened criminal. If ever he could himself become an accomplished garotter, he would confidently propose a whipping as a suitable correction of the totally different motives which must then actuate him from any which had actuated him hitherto. The right hon. Gentleman concluded by moving the second reading of the Bill.

LORD LOVAINE seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HADFIELD said, he rose to move as an Amendment that the Bill be read a second time that day six months. He was wholly opposed to the punishment of whipping, believing that it never proved effectual yet in preventing crime, and that by degrading the offender in his own eyes it was calculated to render him reckless for the future and utterly unable to regain his position in society. The Acts passed two years ago for consolidating the criminal laws of England and Ireland had undergone most careful deliberation in both Houses of Parliament, and they had abolished whipping of persons exceeding sixteen years of age; and as to those offenders under that age, they stated that the Judge should prescribe the nature of the instrument of punishment and the number of lashes in every case. Penal servitude for life, hard labour, and solitary confinement —the punishment allowed by law to be visited on the class of crimes mentioned in this Bill—was amply sufficient to prevent, without having recourse to the cruel, barbarous, and antiquated expedient proposed by this measure. By a Return of Criminal Statistics, which had been moved for, it appeared that ninety per cent of offenders had not been convicted of new crime. It appeared that Staffordshire, which the right hon. Gentleman represented, stood, as regarded the goals of the country, the highest in the amount of flogging inflicted. The noble Lord the Member for Tamworth (Viscount Raynham) proposed a measure for flogging husbands for the purpose of promoting domestic felicity, and to compel them to discharge their conjugal duties. In Staffordshire, with a population of 747,000, there had been in three years 78 cases of flogging; in Lancashire, with three times its population, only 190 cases; in Middlesex, with a population of 2,206,000, only 52 cases; and in Yorkshire, with a population of 2,043,000, only 15 cases. Moreover, the cases of flogging had been during the same period greater in Staffordshire than in Ireland, with a population of 6,000,000. In the prison for the Hundreds of Salford there were constant cases of flogging; but in the prison at Wakefield, for the West Riding of Yorkshire, with a large manufacturing population, no such punishments were ever inflicted. While in Staffordshire the punishment of flogging was inflicted to a great extent, and in Lancashire nearly to the same extent, in Yorkshire, with a population of two millions, it was found politic to abstain from the infliction of that punishment. From these facts he came to the inevitable conclusion that the right hon. Gentleman opposite was utterly mistaken in supposing that the punishment of whipping was a prevention of crime. The want of employment was the parent of crime; and, consequently, the best mode of putting a stop to crime was to find useful and profitable employment for the criminal. He also objected to its being left at the discretion of individual judges when and how the punishment should be inflicted. There would be no certainty or uniformity under such a provision, but passion, or prejudice, or ignorance, would prevail in different districts. An Act of Parliament had been passed because a boy from some childish motive, which nobody could understand, had infested Her Majesty's palace. A better course would have been to have given him a good horsewhipping, but not to whip him with the cat-of-nine-tails. He deprecated all such hasty and ill-considered legislation as that proposed by the Bill, at all events until the Commission at present engaged in an inquiry as to the causes of crime and its remedies had made its report. His own opinion was that when that Commission had given its fullest attention to that subject, and had fully investigated it, the result would follow—they would arrive to the conviction that the ticket-of-leave system, which had been so much condemned by certain hon. Members, was a most useful and beneficial system in the restoration of unhappy offenders to a respectable position as honest members of society.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Mr. HIBBERT said, there was no gaol in the country where discipline was better maintained than in the gaol of Salford, or where more work was got out of the prisoners; and there flogging was used as a punishment. As a proof of what he had stated he might mention that on three occasions, when sitting at quarter sessions, he had been asked to sentence prisoners to four years' penal servitude rather than to two years' imprisonment in the Salford gaol. The hon. Member for Sheffield (Mr. Hadfield) forgot that criminals must be deterred from committing crime as well as reformed afterwards. Believing that flogging would have a deterring effect in the cases contemplated by the Bill, he would cordially support the measure. He would, however, suggest that in Committee this punishment should be confined to the earlier part of a prisoner's sentence.

Colonel NORTH said, he could not understand why they should be so mealy-mouthed about flogging a set of ruffians. The hon. Member for Sheffield himself admitted that it would be a good remedy against some offences; and yet he thought penal servitude enough for crimes of that particular description. Why, was he aware of a case that was tried only on the previous Thursday at the Hampshire assizes? The prisoner, Lewis Francis, was indicted for maliciously wounding George Dean, a warder at Portsea, on the 19th of December, with intent to murder. He was found guilty and sentenced to penal servitude for twenty years. Now, what was the former history of that man as given in the newspapers? Why, that in 1854, having been previously convicted of numerous crimes, for which he had undergone various terms of imprisonment, he was sentenced to be kept in penal servitude for four years. He was sent to Dartmoor, and in 1857 make a murderous attack, which he nearly completed, on a warder. For that he was convicted at the Exeter Lent Assizes in 1857, and sentenced to seven years' penal servitude. He was then sent to Bermuda, where he made another murderous attack on a warder, for which he was sentenced to fifteen years' penal servitude, and was then sent from that colony to Portsmouth. There he repeated the very same offence, for the fourth time, and was on the previous Thursday sentenced for it to twenty years' penal servitude, the four sentences upon him making altogether forty-six years. What was the use of passing these sentences upon such a blackguard as that? They had much better put up the triangles and flog him on the spot and all his fellow-prisoners who aided or abetted him in his murderous assaults. If the Governor of Portsmouth Gaol had the power of doing that, but would not use it, he was a wretched old woman for his lenity. Let any one go to Chatham, and see how the convicts were fed. These rascals had their roast meat, puddings, ale, and porter—things which no honest labourer on hon. Gentlemen's estates could get. The work they did was eight and a half hours per day, and they had half a day a week to attend the schools. Why could not they do as honest labourers in many villages did—namely, have their schooling in the evening? He cordially supported the measure, believing that the whole country was justly indignant at the manner in which these ruffians were treated.

MR. CLAY said, that the Bill was advocated, if he understood rightly, upon the theory that it was necessitated by an exceptional state of crime. But before he voted for the second reading he should be glad to be satisfied that any such exceptional state of crime really existed, otherwise they would be liable to the imputation of legislating under an unreasonable state of panic. He really believed that the idea of an extraordinary prevalence of the crime of garotting was wholly and entirely untrue. He had had the pleasure the other day of dining with three police magistrates—and he was surprised to hear from them all, as the result of their experience, that there was no increase whatever in the crime called garotting. Indeed, one of them said that no case of garotting, pure and simple, had ever come before him. He inquired as to the truth of the very alarming and circumstantial details which had frightened everybody, including himself. The atrocious assault committed on a respected Member of that House which first excited alarm might have occurred at any other time of which he recollected. In another case it turned out that a young gentleman, who fell down and cut himself at night after dining, had thought that an attack by a garotter would be a respectable way of accounting for the accidental injuries he had received. Again the story of the heroic young lady resisting the garotter who tried to cut off her hair was entirely untrue. He had talked also with policemen on the subject, and had been informed that these street ruffians went about in list shoes, and could rob their victims even when a number of people were near, in two seconds. He had likewise been warned to look behind him as he passed a street lamp, to see whether there was not another shadow besides his own. He (Mr. Clay) thought there was an immense amount of exaggerated fear abroad with respect to this crime. But however that might be, he, for one, would never consent to the flogging of a man like a dog. It had a demoralizing and brutalizing effect not only upon the victims, but upon a great many others who were hovering on the brink of crime.

SIR GEORGE GREY said, that he wished to say a few words before the House went to a division. However popular in certain quarters any proposal might be at that moment having for its object to increase the severity of our criminal code, he felt it his duty to support the Amendment to the Motion of the right hon. Gentleman. He did not, however, agree in all the reasons which had been given for that Amendment. He did not think that the House was precluded from entertaining the question by a Commission having been appointed to inquire into the question of penal servitude. It was quite true, as the right hon. Gentleman had stated, that the other evening, on the introduction of the Bill, he had said that two years ago the criminal law of the country was revised and consolidated, the Bills for that purpose having undergone the mature consideration of a Committee composed of almost all the legal Gentlemen in the House, and of several hon. Members of great experience in the administration of the Law. He stated that the House ought to examine well the grounds on which they were asked within two years to alter a material portion of that law after it had been deliberately sanctioned on the unanimous recommendation of that Committee, and he said, not that they ought not to retrace their steps if wrong, but that they ought to be well satisfied that they were wrong before they reversed the decision to which they then came. The right hon. Gentleman said they were wrong, because there had been during the last six months of 1862 an unusual number of robberies with violence in the streets of London. His hon. Friend who had just sat down had adverted to some of these cases, and he entirely agreed with him, after having investigated them, that there had been great exaggerations in many of the cases alleged to have occurred. He could not go so far as his hon. Friend and say that there was during last year no unusual amount of a particular class of crime. There was far above the usual number of robberies with violence in the streets of London; but were those crimes so frequent still? And if not, from what cause? He believed there was a fashion in crime, and the publicity which was given to an attack on a Member of that House had actually prompted the commission of similar outrages—just as two or three persons throwing themselves from the Monument or the Duke of York's Column rendered it necessary that precautions should be taken against similar acts of suicide. What was done in consequence of those crimes? The police were increased, a certain number were employed in the streets in plain clothes; and many of that class of criminals were apprehended and brought to justice. They were tried at the Central Criminal Court, in the November sessions, many of them were convicted, and the consequence was, he believed, the number of robberies with violence did not at that time exceed the usual amount. Those who had been convicted were suffering the punishment they justly deserved, and where was the necessity for Parliament to alter the law? The vigilance of the police, and the due administration of the law, had proved sufficient to put down the crime. His hon. Friend had said, the proposed measure was panic legislation, but it was panic legislation after the panic had subsided. He believed, judging by past experience, if they left the power of inflicting corporal punishment to the discretion of the Judge, the discretion would be generally used in favour of the alternative punishment. The object of the measure proposed by the late Sir R. Peel with reference to outrages on the Sovereign was to counteract the influence of a morbid state of mind which associated an act of treason with a feeling of vanity or ambition; and, with reference to injury to works of art, whipping was no longer a punishment at the discretion of the Judge. The alleged success of these Acts was a misapprehension. In the only two cases of convictions under the former of them, the sentence had not been whipping, but seven years' transportation. The right hon. Gentleman proposed a great alteration in the existing law. Not only did he extend the power of inflicting corporal punishment to adults; but whereas it could only be inflicted once and in private, the number of lashes and instrument being specified, the right hon. Gentleman proposed, that whipping might be public as well as private, that it might be repeated three times, and he took away all discretion as to the number of lashes and the instrument with which they were to be inflicted. Did he really mean that a man might be sentenced to penal servitude for life, and be three times publicly flogged during that sentence? and yet this was what the Bill would sanction. If they were to alter the criminal law, which had been settled only two years previously, he did not see why they should say, with regard to one particular offence only, that the punishment of whipping should form a part of the sentence. Why, for instance, should they not include in the class of felonies to be so visited the crime of rape, or any other crime of violence? There ought to be something like principle in the alterations they made in the law. The hon. and gallant Gentleman (Colonel North) had referred to the case of an incorrigible ruffian who had been tried four times for murderous assaults on warders of the prison; but, under the Bill, if he did not rob as well as savagely assault those warders, he would escape the punishment of flogging. He had no doubt such a man came back from Bermuda with his back scored by punishment; but did it cure him? [Colonel NORTH: I will try and ascertain the fact.] He thought a punishment which was appropriate for insubordination in prison, where the infliction must be prompt and on the spot, might be altogether unsuitable where an offence was committed and the accused had to take his trial weeks or a month afterwards. The Bill bore marks of hasty and careless preparation, and he hoped the House would negative the second reading.

SIR STAFFORD NORTHCOTE said, he wished, as his name was on the back of the Bill, to say a few words in explanation. The right hon. Gentleman had no doubt detected some blots in the measure; but there would be no difficulty in curing them in Committee. A private Member bringing forward a Bill of the kind ought to be held excused if he did not produce a perfect measure. If the Government had shown any disposition to take up the subject, he was quite sure his right hon. Friend would have been glad to leave the matter in their hands to introduce a perfect measure; but they had not only not produced any Bill, but they opposed the measure before the House on the ground that a Commission of Inquiry had been appointed, which, by the admission of the right hon. Baronet, did not touch the question. His right hon. Friend thought it desirable to take the opinion of the House on the subject; he asked them to affirm the principle, and any Amendment would gladly be assented to if it were shown to be a proper one. The right hon. Baronet had never touched the argument on which the Bill rested—which was, that it was necessary to have these punishments not only reformatory, but deterrent. It had become clear to every one that the scale of punishments in the country was insufficient to deter offenders. He quite agreed that there were ebbs and flows, and might be a fashion in crime; but the question was, how to stop it? In cases of assault on the Sovereign they altered the punishment, and it had been found sufficient to check the offence. What was asked was that the same step should be taken with the particular class of offences under consideration. It had been said they were legislating on panic, and that many of the garotting cases had been exaggerated. But what of those which had been tried by Judges and juries? In the November sessions at the Central Criminal Court twenty-seven persons had been indicted and twenty-four convicted for robbery attended by violence in the streets of London. These men, who showed the greatest hardihood in the dock, did not care a bit for penal servitude. It might be they did not care for flogging; then he did not see what harm it could do to them. The crimes of violence against which the Bill provided were committed with the greatest deliberation, and frequently with the most brutal ferocity; would flogging deter from them, or would it not? In his opinion they owed it to the protection of Her Majesty's subjects to try what the effect of that punishment would be. The feeling of the country, and he believed of a large portion of the House, was in favour of the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 131; Noes 68: Majority 63.

Main Question put, and *agreed to*.

Bill read 2°, and *committed* for *To-morrow*.

THAMES EMBANKMENT (NORTH SIDE) BILL—[BILL 23.]

SECOND READING.

Order for Second Reading read.

MR. COWPER moved the second reading of the London Coal and Wine Duties Continuance Bill.

MR. W. WILLIAMS intimated that he should oppose it in a subsequent stage, if a Bill were not introduced to embank the south side of the Thames.

MR. AYRTON said, he hoped that that opportunity would not be lost of placing the finances of the metropolis on a more satisfactory basis. If the accounts were brought into a consolidated shape, he believed loans might be effected on the credit of the metropolis on much more economical terms.

MR. DOULTON observed, that he had formerly stated that there was a great discrepancy between the estimates of the engineers and the right hon. Gentleman the First Commissioner of Works. The estimate of the right hon. Gentleman's engineer was £460,000; that of the engineer to the Metropolitan Board, £690,000; showing a difference of £230,000. Since he made that statement the former estimate had been advanced to £500,000, and the latter reduced to £620,000, leaving a difference of £120,000. He wished also to state that he should oppose that part of the Bill which proposed to hand over to the City of London the fourpenny coal duties.

SIR JOHN SHELLEY said, he wished to ask when the evidence which was taken before the Royal Commission on the new street would be in the hands of Members?

MR. AYRTON said, he wished to ask whether the Bill was to be referred to a Committee of five or of fifteen Members?

MR. COWPER said, that he proposed that the Bill, being a hybrid, should be referred to a Committee of fifteen Members, one half to be named by the Committee of Selection, the other to be selected on account of their special local knowledge; and he thought that after it had passed such Committee it should be referred to a Committee of the Whole House. The evidence taken before the Royal Commission, if not then already in the hands of Members, would be delivered immediately. The difference of estimates to which the hon. Member for Lambeth had referred arose from a difference of opinion, not as to the value of property to be taken or the cost of works, but as to the line of the street itself. No engineer belonging to the office of Works was employed on those works; the engineer of the Metropolitan Board of Works had the direction of the Bill.

MR. TITE said, that the alteration in the two estimates of the Metropolitan Board of Works was caused by giving up a portion of the scheme involving an improvement in Thames Street.

Bill read 2°, and *committed* to a Select Committee.

MUTINY BILL.

Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters, *ordered* to be brought in by Mr. MASSEY, Sir GEORGE LEWIS, and The JUDGE ADVOCATE.

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, March 12, 1863.

MINUTES.] — PUBLIC BILLS — *First Reading* — Malt Duty (No. 38).

Select Committee—Illegitimate Children (Ireland) Bill, and Poor Relief (Ireland) Act Amendment Bill, Earl of Belmore *added* in place of Lord Chelmsford.

MALT DUTY BILL.

Brought from the Commons, and read 1^a (*The Lord President*). (No. 38.)

GREAT EASTERN RAILWAY (NEW METROPOLITAN STATION AND BRANCHES) BILL.

SECOND READING. DEBATE RESUMED.

Adjourned Debate, on Motion, That the Bill be now read 2^a, resumed (according to Order.)

THE EARL OF SHAFTESBURY—having *presented* several Petitions against the Bill from the Lord Mayor, Aldermen, and Commons of London, the London Institution, from Clergy and Parishioners of Bishopsgate and adjoining parishes, from the occupiers of houses in Finsbury Circus or residing in the neighbourhood, and from the Committee of Management, Medical Officers, and Subscribers of the Royal London Ophthalmic Hospital, in immediate proximity to which Institution the railway proposed to pass—said, the Petitioners stated that the hospital was the largest hospital for the treatment of diseases of the eye in this country; that it attended to 15,000 cases annually; that the railway was proposed to pass in its immediate contiguity, and that this would injuriously interfere with the successful treatment of patients, especially in the operation for cataract, which required a peculiar steadiness of hand; moreover, the Bill involved the destruction of Finsbury Circus and neighbourhood, and would deprive the patients of an admirable place for exercise during their period of convalescence, in a healthy area, covered with vegetation. This petition alone would justify their Lordships in rejecting the Bill. In the absence of the noble Earl (the Earl of Derby) who was detained by illness, he (the Earl of Shaftesbury) should think it to be his duty—unless the Government were prepared to say that they were in possession of additional evidence, or to promise to take the whole subject of metropolitan railways into their consideration—to move that the Bill be read a second time that day six months. The arrangement of these lines ought not to be left to the desultory efforts of various companies, but must be made the subject of some comprehensive and comprehensible system. Since the subject was last under discussion by their Lordships he had spent several hours in the district which this line was to traverse, in order that he might make himself acquainted with its circumstances and with the effect which the construction of this railway would have upon it. Finsbury Circus itself was a large healthy garden surrounded by good and comfortable houses; but the neighbourhood was of a totally different character. It was encircled by courts, alleys, and *culs de sac;* the courts were nests of fever, in which fever was bred by want of air, and the inhabitants of which had no chance of obtaining fresh air except out of the Circus. It was true that the garden was not open to the public; but merely as a depository of fresh air, as a breathing place, and as a means of resisting contamination, it was of great value to the inhabitants of the neighbourhood. The legislation of both Houses had for many years been directed to the provision of open spaces for the recreation of the public. Deputations were constantly waiting on the Home Secretary, urging requests for public recreation grounds; and Finsbury itself had been calling out for a public park. Should they then permit an open space already in existence to be built up and covered by a railway station? If the Company wanted this line, let them erect their station upon some piece of ground which was now occupied by filthy courts. The occupants of the houses which were to be destroyed had received no notice that there was any intention to apply to Parliament for this Bill; and although they were generally only weekly tenants, they always expected that they would not be turned out of their houses, except for misconduct or non-payment of rent. In this matter their Lordships must remember that they were dealing, not merely with the convenience, but with the very lives of these people. The large proportion of them were tailors and shoemakers, who must live in the immediate neighbourhood of the persons who employed them. Many of them had to visit the premises of their employers six or seven times a day. If they had to leave the neighbourhood in which they now lived, they would have to find fresh employment, and would no doubt have to endure many sufferings and privations before they could form new connections. The various Bills which were upon their Lordships' table proposed to take no less than 1,000 houses occupied by the labouring classes; and if those measures were sanctioned, no less than 12,500 persons would within a very small space be turned out of their homes. To agree to such a Bill as this would show the greatest inconsistency on the part of their Lordships. They had passed a measure for the protection of public gardens; and they were now asked to sanction the destruction of one of the few public gardens which existed within the City of London. He held in his hand a paper which showed that this railway had paid a dividend of only 1½ per cent for the last half-year, the last million of money raised by the company having been raised at the rate of 4½ per cent; while for money to be raised to carry out the objects in question 5 per cent was to be paid. The proprietors, he had, moreover, been informed, had held a meeting, at which the decision was arrived at that they would have nothing to do with the proposed extension. That decision, it appeared, was reversed by a subsequent meeting; but he had heard that another meeting of shareholders had since been held, at which it was determined to adhere to the first resolution. When such was the position of affairs, when the structural difficulties in the way of the scheme, the doubt as to whether it would be a public benefit, and the uncertainty whether it would be completed at all, were taken into account, he had no difficulty in asking their Lordships whether they ought not to refuse to the Bill under consideration their immediate sanction. Parliament was not, he contended, in a condition to pass it this year, whatever might be the case at some future period. Its operation would be to affect important interests, to inflict a great amount of suffering on a large mass of people, without affording any compensation for all the misery thus created. He did not, in making these obervations, wish to be supposed to stand in the way of metropolitan improvements. His sole desire was to prevent a great deal of inconvenience and hardship being brought upon a large number of the population, and with that view he felt justified in moving that the Bill be read a second time that day six months.

Amendment *moved,* to leave out ("now") and insert ("this Day Six Months.")

Lord EBURY said, he rose to draw attention to the fact that there was another company—the Metropolitan, Hampstead, and Tottenham scheme—which proposed to occupy the whole north side of Euston Square with a station, and against the inconvenience to which they would thus be subjected he had been requested on the part of the inhabitants to protest. The railway to which he referred was not, like the Great Eastern, promoted by a large company, but was a speculation rather of a certain number of engineers and contractors. Having a station in the square, it was proposed that it should pass under a considerable extent of ground occupied by the houses of the poor—thus inflicting upon the inhabitants of the district all those evils which had been so graphically depicted by the noble Earl who had just spoken. Under those circumstances, he thought it would be well if the Government would consent to the postponement of the Bill for the construction of that railway, as well as of the other Bills by means of which it was proposed to effect similar objects, for a year. Now, that the metropolis seemed literally about to be taken by storm, the subject was one which demanded their serious attention. If it were necessary that we should have these railways through London, they should take care that it should be done with a *minimum* of evil.

The Earl of STRADBROKE was understood to argue that the property taken by these lines was, for the most part, of a very wretched description, and the construction of the railways had the advantage of opening the neighbourhood and introducing into it fresh air.

Earl GRANVILLE said, when the matter was last before the House, a desire was expressed that the Board of Trade should draw up a Report on the subject for the information of their Lordships. That Report was not yet complete, but would be so in about a week; and he thought it would, therefore, be desirable to postpone the Bill for a week, and not for six months. In making this suggestion he did not do so as a promoter or an opponent of the measure; but it was evident, from what they had already heard, that there were two sides to the question, and he hoped, therefore, that their Lordships would wait till they got the Report he had referred to before deciding on this and other similar Bills.

The Earl of CARNARVON said, that if it were an ordinary case, it might be right to delay coming to a decision until the Report of the Board of Trade had been presented; but he had heard nothing to counterbalance the arguments of the noble Earl (the Earl of Shaftesbury), and he did not think they ought to accept the proposal of the Lord President. They were now entering upon a new stage of railway legislation, and they ought not to fall into the same errors which signalized the commencement of that legislation fifteen or sixteen years ago. He did not see why there should not be one consistent scheme of railway communication for the metropolis. They had arrived at a uniformity of system with regard to gas and water, and laying out streets, and he saw no reason why the same principle should not be made applicable to railways. It was impossible to succeed in effecting that object through the means of Select Committees, and almost, if not quite, as impossible to create another tribunal for the purpose. But it was perfectly possible for her Majesty's Government to deal with the question, and he earnestly entreated them to take it into their own hands, to treat of it as a whole, and, having adjourned every one of these schemes for this Session, to meet Parliament next year with some uniform and consistent scheme of legislation on the subject. For his own part, he was prepared to vote against every one of these metropolitan Bills, without regard to their special merits, for the purpose of inducing the Government to do what he conceived to be their duty.

Lord TAUNTON rose to deprecate any decision on this or any other Railway Bill until they had the means in their hands for forming a just opinion upon it. He hoped the expected Report of the Board of Trade would furnish that information. It was not necessary that they should be entirely guided by the Board of Trade; but, at all events, he thought it would be premature to decide on rejecting the Bill at the present moment.

Lord REDESDALE was perfectly prepared to vote against the second reading of the Bill, and on this principle—that railway companies were not justified, merely to save expense, in proposing to occupy the few open spaces of ground which existed in the metropolis. Hitherto all railway companies had chosen bad neighbourhoods to run their lines through, where it was rather an advantage than otherwise to pull down a few houses to let in air and light; but now, for the first time, because it was more economical to fix their stations in open spaces, they came forward with propositions to take possession of spaces like Finsbury Circus. If Parliament, by a formal decision, were to apprise these companies that they would not be permitted to occupy these vacant spaces, so important to the health of the metropolis, they would very soon find other places. Any interference with the parks and gardens of private persons had always been considered legitimate ground of private opposition to a Bill; and any interference with open spaces of this kind was a fair ground of opposition on the part of the public. It was impossible that the question could be fairly tried by a Report of the Board of Trade. It ought to be referred to some tribunal competent in an engineering sense, and in every other sense, to try the question free from any bias for this or that line. They ought to consider, not which might be the best of certain competing schemes, but they ought to take the question into their consideration as a whole, to have before them what had already been done, and then to decide what would be the best mode of linking the existing lines together. If they merely had to deal with the railways which might be before the House, their Report might stand in the way of some scheme much more desirable than any which had yet been proposed.

Earl GREY said, he was disposed to agree that the Board of Trade would not be able to afford sufficient information in their Report; but their Lordships having called for a Report from that Board, he thought it would be unfair to reject the Bill until that Report had been received. Having this opinion, he hoped that the noble Earl would consent to postpone this debate for a fortnight. Having said this, he must add that he entirely agreed with the Chairman of Committees in thinking that no Report by the Board of Trade, in reference to a particular project, would enable their Lordships to legislate in a satisfactory manner on a subject so extremely difficult as that of providing railway communication for the metropolis. He was of opinion that railway communication through the metropolis, if judiciously made, would be extremely useful in relieving the traffic of the crowded streets; but he was persuaded that Parliament should not sanction any one individual plan dealing with a portion of the great subject without having an opportunity of considering what its bearing would be upon the whole scheme when it should have been fully considered. He thought that there should be a Commission appointed, which should be armed with the necessary powers of summoning witnesses; and that that Commission should avoid the mistake into which the Board of Trade formerly fell, of examining interested persons separately and in private. It was this false step which had deprived the Reports of the Board of Trade of all authority with Parliament.

THE EARL OF MALMESBURY said, that his impression of what took place about a fortnight ago, when his noble Friend who was now unfortunately absent from illness (the Earl of Derby) agreed to adjourn his Motion for the rejection of this Bill, was that the Government would either produce additional evidence in favour of the Bill, or would undertake to lay down a general scheme for metropolitan railway communication. It was one of those alternatives which they were bound to adhere to that evening, and they had conformed to neither. But at the same time, as the noble Earl opposite (Earl Granville) had promised, or nearly promised, that within a short time a Report by the Board of Trade should be produced, which would embrace all the metropolitan railways at present laid down upon the map, he himself thought that it would be something like a breach of faith, upon the part of those on that side of the House who opposed the Bill, if they did not consent to the proposition of the Government, and again adjourn this debate until the Government, if they could do so in a reasonable time, should present the Report. He thought that that was the understanding of the noble Earl who was absent, who he believed would, if he had been present, have consented to an adjournment of the debate. He entirely concurred in thinking that it was utterly hopeless to expect any information in the Report useful for immediate progress; for if it were confined to the schemes which were now intended, he should consider it as entirely valueless in reference to the general subject. Nothing would be efficient for protecting the public interest and saving the metropolis from disfigurement, inconvenience, and partial destruction, except a well-considered scheme embracing the whole question; and he agreed in recommending a Commission for this purpose. The House had had ample warning in what took place in reference to our general railway system. Their Lordships would recollect what Lord Dalhousie recommended, and that his recommendation was unfortunately abandoned. This was the first country in which railways were laid down. We possessed the best engineers, and we were capable of raising the largest sums of money; and yet there was no country in which the railways were so ill-arranged, so ill-connected, so dear, and so enormously inconvenient to passengers; and with this fact before them it behoved them to be careful that they did not again produce the same network of confusion and the same squandering and waste of capital. If they once made a mistake in this direction, there was no remedying it. Surely a year was not much in the life of an empire; and he could not help hoping that their Lordships would reject all these individual schemes, be they bad or good, until there was laid down, with all the authority of Government, a general scheme which should be satisfactory.

EARL GRANVILLE believed that he was acting in accordance with the general feeling of the House in moving the adjournment of the debate until that day fortnight; not for the purpose of fettering their Lordships, but to prevent them from coming to a rash decision before they had received the information for which they had asked. The Government desired that their Lordships should have the Report of the Board of Trade before them before they came to a decision; but the noble Earl was mistaken in saying that he had undertaken to furnish additional evidence in favour of this particular scheme. He knew nothing of this particular railway scheme, and had simply interfered to prevent the rejection of the Bill upon hearing one side only. What he agreed to do was to make inquiries and obtain information as to metropolitan lines in general. He must observe, that he could not imagine what kind of scheme the promoters would have to present to Parliament if they took all the advice that had been tendered to them in the course of this debate. Some noble Lords opposed the taking of open spaces for railway purposes, while others grounded their opposition on the proposal to take houses. He was of opinion that the Report of the Board of Trade would be valuable, and that their Lordships ought to wait for it; and he believed that a well-considered Report of a Committee of their Lordships, drawn up after all the available information on the subject had been laid before them, would have great influence on both Houses of Parliament. Certainly it would have very considerable weight on their Lordships' House. Under these circumstances, he begged to move the adjournment of the debate till this day fortnight.

The Earl of MALMESBURY wished to explain. He never said that the Government had undertaken to give them evidence to make out the case for a private Bill; what he intended to convey was, that Lord Derby stated, that if he received no evidence, and if the Government laid down no plan, he should feel himself justified in opposing the second reading of this Bill. The Government had not done this, but had promised a Report, and he thought that the House should wait until they had seen that Report.

The Earl of SHAFTESBURY said, he could not conceive that any Report, however powerful, however ingenious, and however eloquent, could reconcile him to the seizure by railway companies of spots now reserved for the purposes of health. He would not press his Amendment now; but he should reserve to himself the right to move the rejection of the Bill when it again came under discussion. He would oppose every Bill that proposed to take open spaces of the character to which he had just referred, or which, without due notice—for that was the point—proposed a devastation of the dwellings of the working classes.

Debate further adjourned to *Thursday*, the 26*th instant.*

House adjourned at half past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 12, 1863.

Minutes.]—Select Committee—Royal Forests (Essex) *nominated* (see p. 1031).
Supply—Navy Estimates—*Considered* in Committee.
Public Bills—*Leave*—Trustees (Scotland) Act Amendment.
First Reading—Marine Mutiny; Mutiny; Inclosure [Bill 58].
Second Reading—Hares (Ireland) [Bill 51].
Committee—Telegraphs [Bill 38]; Naval Coast Volunteers Act Amendment [Bill 55].
Report—Telegraphs; Naval Coast Volunteers Act Amendment [Bill 55].
Considered as amended—Bleaching and Dyeing Works Act Amendment [Bill 29].
Third Reading—Salmon Exportation [Bill 42]; and *passed.*

RECEPTION OF THE PRINCESS ALEXANDRA.—QUESTION.

General BUCKLEY said, he wished to ask the Secretary of State for the Home Department, Whether his attention has been called to the manner in which the streets were kept in the City on Saturday last; and, if so, whether it is the intention of Her Majesty's Government to make any alteration in the Police Force, so as to place the whole Force of the Metropolis under the management of Sir Richard Mayne?

Sir GEORGE GREY:—I am sorry that my hon. and gallant Friend had not given notice of the Question he has asked. My attention has only been called by the public statements I have seen in the newspapers with regard to the crowded state of the streets when the Princess Alexandra passed through the City, and the absence of any efficient regulations for keeping the streets clear on that occasion. Those statements I have heard confirmed by gentlemen who were present, but the subject has not received any consideration from Her Majesty's Government as yet.

EMIGRATION OF PAUPERS. QUESTION.

Mr. STANLEY said, the right hon. Gentleman the President of the Poor Law Board, and the House, were aware that large sums of money and a free passage had been offered by Queensland and the Australian Colonies generally with a view to promote the emigration of the Cotton Operatives. He was told application had been made for a portion of the Mansion House Fund for the purpose of assisting such emigration, but for certain reasons the request was refused. He therefore wished to ask the President of the Poor Law Board, If Boards of Guardians or Parish Vestries have not the power to raise money for the purposes of assisting the Emigration of Paupers and their Families to British Colonies; and, if so, under what restrictions and regulations?

MR. C. P. VILLIERS, in reply, said, he knew nothing of the statement made by his hon. Friend with regard to the application of the funds under the control of the Lord Mayor. With regard to his question as to the powers possessed by parishes and guardians for aiding the emigration of the poor, he could inform him that this power was possessed by both those authorities. They derived their power, however, from different Acts of Parliament. The parishes, by means of their vestry, were entitled under the 4 & 5 *Will.* IV., commonly called the New Poor Law, to raise money for emigration either by special rate or by loan, but they were limited as to the amount raised, and also as to the time of repayment. They could only raise one half the average amount expended yearly on an average of three years, and were obliged to repay the money in five years, and they could only apply the money under the authority of the Poor Law Commission. With respect to the Guardians of Unions, they had power to defray the cost of the emigration of those paupers who were termed irremovable, and were only limited as to the amount. What they raised might be charged on the common fund, but they could not pay more than £10 for each person without the sanction of the particular Guardian belonging to the parish where the pauper is settled. In no case could they proceed to the application of the money without the control of the Poor Law Board, and without being subject to the orders and regulations which had been issued by the Commissioners. Those orders and rules might be found in the Annual Report which was made to the House by the Poor Law Board. They had been carefully drawn with a view to the safety and protection from wrong of the pauper.

INDIAN MEDICAL SERVICE.

QUESTION.

MR. REMINGTON MILLS said, he would beg to ask the Secretary of State for India, When the details for the amalgamation of the Medical Service of the late East India Company with that of the Royal Army is likely to be promulgated?

SIR CHARLES WOOD said, in reply, that the amalgamation in question was a very complicated and difficult matter, and must be attended with considerable expense. He was sorry to say there had been very considerable, though he believed unavoidable, delay in carrying out this matter. A plan for the amalgamation was sent out to India some time ago for the consideration of the Government of India. That Government, having given the plan its consideration, suggested one totally different for the consideration of the Home Government. That plan had been submitted to the military and medical authorities of India and England, and on the whole they preferred it to the one originally sent out. It had been sent for the approval of the War Office, and he hoped no very long time would elapse before it was carried out.

MAIL CONTRACT FOR THE CAPE.

QUESTION.

SIR MORTON PETO said, he wished to ask the Secretary to the Treasury, If he will lay upon the table of the House a list of the names of the parties who tendered for the Mail Contract for the Cape of Good Hope, with the amount of such Tender, and the name of the successful party; and whether the contract will be deposited upon the table of the House for one month previous to its confirmation, as suggested by the Committee on Mail Contracts?

MR. PEEL said, there was no objection to produce the tenders, but he could not do so at present. The contract had been accepted, subject to the approval of the House, but had not been finally concluded. It should be laid upon the table during the time required to insure confirmation.

POLL TAX AT SMYRNA.

QUESTION.

MR. WYLD said, he wished to ask the Under Secretary of State for Foreign Affairs, If the Government have received any memorials or remonstrances from British Subjects residing at Smyrna of the attempted imposition, by the British Consul, of a poll tax of five shillings per head upon every adult Englishwoman and Englishman residing at Smyrna; and if he will lay before the House a copy of the Report of Sir Edmund Hornby on the complaints made against Mr. Consul Blunt at Smyrna?

MR. LAYARD, in reply, said, Her Majesty's Government had received a memorial or remonstrance from British residents at Smyrna, on the subject of what they were pleased to call the attempted imposition of a poll tax. The memorial and the answer of Her Majesty's Government would both be laid upon the table; but he begged to say, that this so-called poll tax was simply a registration fee levied upon British subjects on registering themselves, by virtue of an Order in Council, not alone in Smyrna, but throughout the East. A similar fee was levied by the representatives of all other Powers in the East. It was levied by the British authorities to meet the large expense of courts, juries, and various other institutions and establishments connected with consular affairs, and was imposed on persons who did not pay English taxes and would not pay Turkish taxes. With regard to the correspondence relating to Mr. Blunt, it referred to a matter now past; four years had elapsed since the events to which it related took place, and no good would arise from laying the papers connected with the case on the table.

Sir GEORGE BOWYER said, he wished to know, whether the opinions of the Law Officers of the Crown had been obtained as to the legality of levying taxes by Orders in Council?

Mr. LAYARD said, the Orders in Council were drawn up by the law advisers of the Crown, and the fee was equally leviable under the old constitution of the Levant Company and several Orders in Council.

THE NABOBS OF THE CARNATIC.

QUESTION.

Mr. H. BAILLIE said, he rose to ask the Secretary of State for India, Whether, when he signed his Despatch of the 8th day of April, 1862, in which he stated that after a searching revision of all the Papers he was convinced there were no grounds to justify him in disturbing the decision of the East India Company, that the Treaty signed in 1801 with the Nabob of the Carnatic was a personal one, he was aware that when the Nabob died, in 1819, his son, who succeeded to him, was informed by the Governor General, Lord Hastings, that there was no necessity to renew the Treaty, for that he considered the son *ipso facto* a party to the Treaty signed by his father; whether he was aware that Sir Thomas Monro, the Governor of Madras, did, about the same time, record his opinion in a Minute that the Treaty of 1801 remained in force, and that the East India Company, without a breach of faith, could not alter any of the Articles; whether, previous to coming to a decision, he had consulted or obtained the opinion of the Law Officers of the Crown; and, whether he has any objection that the opinions of the Law Officers of the Crown upon the subject should be laid before Parliament?

Sir CHARLES WOOD said, he was perfectly aware of the answer which Lord Hastings gave, and he himself had referred to his views upon the subject on the occasion of the Motion which has been lately made by the hon. Gentleman. As to the Minute of Sir Thomas Monro, it was not made in 1819, but six years afterwards, in 1825, nor did it go at all to the length stated by his hon. Friend. With regard to the other questions, he had not taken the opinion of the Law Officers of the Crown upon the subject; nor, if he had, was it usual to lay their opinions upon the table of the House.

POOR RELIEF (IRELAND) ACT.

QUESTION.

Sir EDWARD GROGAN said, he wished to ask the Chief Secretary for Ireland, If he has received any Report of the judgment pronounced by the Right Hon. Justice FitzGerald, at the Assizes for the county Clare, on the construction of the 10th clause of the Poor Relief (Ireland) Act of last year, and if he will lay a Copy of the Report upon the table of the House?

Sir ROBERT PEEL stated, in reply, that the Government had received no Report on the judgment pronounced by Mr. Justice FitzGerald at the Clare Assizes, upon the construction of the 10th clause of the Poor Relief (Ireland) Act.

FAIRS AND MARKETS IN IRELAND.

QUESTION.

Mr. BLAKE said, he rose to ask the Chief Secretary for Ireland, Whether he intends, during the present Session, to introduce a measure for the better Regulation of Fairs and Markets in Ireland?

Sir ROBERT PEEL said, he last year introduced a Bill for the Regulation of Fairs and Markets in Ireland, which received very considerable support; but, owing to the pressure of other business, the whole Bill did not pass. A very important portion of it, however—namely, what related to the reformation of weights and measures—had passed, and was in force in Ireland since the commencement of the present year. The Government had no intention to introduce any Bill on the subject until the working of that measure had been seen.

ENGLISH POLICE IN POLAND.

QUESTION.

Mr. HENNESSY said, he would beg to ask the Secretary of State for the Home Department, Whether he will lay upon the table of the House the note of the Russian Ambassador communicating the desire of the Grand Duke Constantine, Lieutenant Governor of Poland, that some of the Metropolitan Police Force should be sent to Poland; whether, at the date of that application by the Russian Ambassador, Her Majesty's Government were aware that a state of siege was in force in Poland; whether Her Majesty's Government had received any information (prior to the date of the Russian application) that political disturbances and arrests of political prisoners had taken place in Warsaw; whether the Metropolitan Police Officers despatched by the Government to Poland received any instructions or made any reports; and whether such instructions and reports will be laid upon the table of the House?

Sir GEORGE GREY:—I was asked on Monday last whether I would produce the letter dated 31st July last, addressed to me by the Russian Ambassador in this country. I stated that that letter was marked "confidential," and that I did not feel myself justified in producing it without the concurrence of the Ambassador. The attention of the Russian Ambassador having been attracted to the question of the hon Member, in this House, he has informed me that he has not the slightest objection to the production of the letter, and the letter has this day been laid on the table of the House. With regard to the second Question, I have to state that at the date I received that letter Her Majesty's Government were aware of the state of siege which existed in Poland, but they were not aware, nor am I aware now, that shortly before the receipt of that application the execution of political prisoners had taken place in Warsaw. The letter itself stated the object of the application to be that the English police might, by the information they could give, assist the Grand Duke Constantine to put an end, at the earliest possible period, to martial law, and to restore the country to its ordinary civil administration. The state of siege in Poland was proclaimed in October, 1861, and, so far as Her Majesty's Government are informed, it still continues, subject, however, to some modifications. A Despatch was received from Acting Consul White in December last, stating in detail what those modifications are; and as that Despatch has also been laid on the table, it will inform the House better than I can tell it the nature of those modifications. With regard to the third Question, whether Her Majesty's Government had received any information, prior to the date of the application, that political disturbances and arrests of political prisoners had taken place in Warsaw, I may state that the Government had not received, and they have not now received, any information that political disturbances had then recently taken place. I find, however, that of which I was not aware when I received Baron Brunow's letter, and of which I scarcely could be aware, as the date was so recent—namely, that a Despatch was received at the Foreign Office from Colonel Stoddart, on the 28th July last, written at Warsaw, on the general affairs of Poland, in which he referred to certain arrests which had been made at Warsaw and the adjoining districts. An extract from that Despatch, containing all the information given on that subject, is among the papers laid on the table of the House. With regard to the last Question, I stated the other evening that the two police officers did not receive any written instructions from the Chief Commissioner. The instructions were given to them verbally by Sir Richard Mayne, but I have called upon him to state in writing to me the substance of those instructions, and his letter containing those instructions is also laid on the table of the House. He also informs me that one written report, and one only, was received from the two officers; and though that document belongs to a class usually considered strictly confidential, and not communicated to Parliament for obvious reasons, yet as the circumstances in this case are unusual, and as I am anxious there should be no mystery about the matter, but that every suspicion should be removed from the mind of the hon. Gentleman as to the object of sending those officers to Warsaw, that report is included in the papers laid on the table of the House.

SENTENCES ON CONVICTS.

QUESTION.

Mr. ARTHUR MILLS said, he would beg to ask the Secretary of State for the Home Department, Whether the sentence passed at Winchester Assizes, on the 5th instant, on Lewis Francis, in which an expectation was held out to the prisoner of a possible remission of a portion of the said sentence, was in accordance with the instructions conveyed in the Home Office Circular of the 27th of January last?

Sir GEORGE GREY said, he had no information with respect to this case, except that the convict had been found guilty and sentenced to twenty years' penal servitude. The Judge had made no communication to him on this subject, which he could have done if he had intended the sentence should be commuted or abridged. The observations alluded to, however, if made, were not inconsistent with the Circular of the 27th of January. That Circular did not say that in no case any sentence of penal servitude should be remitted, but that in future the right of convicts under a sentence of penal servitude to claim a certain abridgment of their sentence on the conditions specified in a notice would no longer belong to prisoners under second sentences of penal servitude. Nevertheless, upon the recommendation of a Judge, or under special circumstances, a sentence of penal servitude might at any time be brought under the consideration of the Home Office.

OSTEND AND CALAIS MAILS CONTRACT.

QUESTION.

Mr. BERKELEY said, he would beg to ask Mr. Chancellor of the Exchequer, If the Contract for carrying the Ostend and Calais Mails, tendered for on the 2nd of February, 1863, has been awarded to any of the parties tendering; and, whether J. G. Churchward is to remain with the old Contract?

The CHANCELLOR of the EXCHEQUER stated, in reply, that no final award had been made of the Contract for carrying the Ostend and Calais Mails, tendered for on the 2nd of February, but the Treasury and the Post Office were in communication on the subject, and probably in the course of a few days he would be able to announce that a decision had been arrived at. The old Contract, according to the view of the Government, remained, of course, in force till June, and the necessity for a new arrangement did not arise till that period.

CONDITION OF SOUTHERN ITALY.

QUESTION.

Mr. CAVENDISH BENTINCK said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received any Despatches or Communications relative to the present condition of Southern Italy; and, whether there is any objection to lay them upon the table of the House?

Mr. LAYARD, in reply, said, that Despatches were, of course, received regularly from the Consul General at Naples by the Government, but they had no intention of laying any of them upon the table of the House.

SOUTH ENTRANCE TO PARK LANE.

QUESTION.

Mr. GODDARD said, he would beg to ask the First Commissioner of Works, Whether his attention has been directed to the very crowded state of a portion of Park Lane, adjoining Piccadilly, and the great delay and consequent inconvenience sustained by the public thereby; and whether it is his intention to propose any measure with a view of obviating the same?

Mr. COWPER, in reply, said, that the narrowness of the entrance at the southern end of Park Lane undoubtedly led to great obstruction and inconvenience. At one point the thoroughfare was only wide enough to allow two carriages abreast; but while he fully admitted the inconvenience which arose to the public, he could not admit that the Department over which he presided was in the slightest degree responsible for it. Park Lane was not the property of the Crown, and was not in any respect under his jurisdiction. There was, however, an authority which could deal with the subject—the parish of St. George's, Hanover Square. By the Act of last year parishes and district boards had the power of expending the rates in widening streets, such as Park Lane, with the consent of the Metropolitan Board of Works; and they had also the power of raising money for that purpose on the security of the rates. The parish of St. George's, Hanover Square, was a very wealthy one. Its affairs were managed by men of business and experience, and he hoped their attention would be drawn to the very great obstruction and inconvenience to which the hon. Member referred.

MARINE MUTINY BILL.

Bill for the Regulation of Her Majesty's Royal Marine Forces while on shore, *presented*, and read 1°.

MUTINY BILL.

Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters, *presented*, and read 1°.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY—WOODEN FRAMES FOR IRON SHIPS.—RESOLUTION.

MR. LINDSAY said, he rose, pursuant to notice, to move that it was not expedient at the present time to commence the building of wooden ships which were to be covered with iron-plates. It would be recollected that the question was raised a few nights since when the Navy Estimates were under consideration in Committee, and a very general opinion was expressed that while it was expedient to convert wooden ships already on our hands into iron ones by plating, it was not desirable to build wooden vessels expressly for that purpose. The noble Lord at the head of the Government promised on that occasion that the five wooden ships which it was proposed to construct would not be proceeded with until the House had had an opportunity of expressing its opinion upon the respective merits of iron and wood as materials for the building of ships for Her Majesty's navy. He (Mr. Lindsay) now came forward for the purpose of affording an opportunity for the expression of that opinion by the House. In introducing the question he would confine himself to two points:—First, were those five new ships proposed to be built to be constructed of wood or iron?—secondly, were they to be built in Her Majesty's dockyards or under contract by private builders? Now, it was for the House to decide whether iron or wood was the best material for the construction of ships-of-war. It was well-known that iron was ten times stronger than wood—that was to say, that a one-inch plate of ordinary English iron was equal in strength to a ten-inch plank of English oak. The first operation in constructing a ship was the laying down the keel, and in the case of wooden ships the keel, stem and sternpost were necessarily divided into a great number of different parts, and these, with the ribs, or timbers as they were called, were fastened together by bolts and trenails. But the keel, stem, sternposts and timbers had in themselves very little strength. It was only when they put the planking outside, and the ceiling inside, and fastened these also by means of trenails and bolts that the ship acquired strength. But in an iron ship the various parts were practically welded into one another, so that the whole structure became almost a solid body, and formed a vessel infinitely stronger and more durable for all purposes than a wooden ship. Before going further, he might as well state that he was not a shipbuilder and had no interest in any shipbuilding yard. He was, however, a shipowner, and ships both of wood and iron had been built for him in different parts of the country. But for the last ten years he had not built a wooden ship, having come to the conclusion that iron ships were stronger, more durable, and altogether a better investment than wooden ones. Since the discussion in Committee to which he had referred, the Admiralty had laid on the table a statement relating to the advantages of iron and wood, and the relative cost of these materials. The document was signed by Admiral Robinson; but, of course, the Board was responsible for it. Although the Admiralty admitted that on the whole an iron ship was stronger than a wooden one, they argued, in their statement, that it was advisable for certain reasons to continue the construction of wooden ships to be plated with iron. Among other reasons for so doing, the Admiralty said they never could depend on the quality of the iron. In his opinion, that was purely a question of price and could therefore be readily solved. A 4½-inch armour-plate of ordinary iron cost about £40 a ton; but there was better metal to be got. Lowmoor iron, for instance, was superior, but more expensive. The Swedish and Norwegian irons, which were made with charcoal, were also, he understood, tougher and more durable; but then, instead of £40 a ton, they cost £48 or £50. On the whole outlay for a ship-of-war, however, the difference of price between the ordinary and the superior qualities of iron was comparatively a small consideration. If therefore the Admiralty did not procure the best description of iron, it was their own fault. Next, it was alleged that in iron ships the compasses were subject to dangerous deviations. But there was a vast number of iron ships afloat, sailing to all parts of the world, and it had not been found that there was any serious difficulty in keeping the compasses correct in those vessels. It was also said that iron ships were peculiarly liable to foul. After a voyage of twelve months or so the bottom of an iron ship was, no doubt, likely to be foul; but, according to the experience of the merchant service, the Admiralty exaggerated the difficulty of keeping iron ships clean. It was a remarkable fact, that when an iron ship was taken into a fresh-water river, such as the Hooghly, or any of the innumerable streams on the coast of China, the barnacles were, to a great extent, removed from the bottom. Ships could also be easily cleaned in dock. Another objection raised by the Admiralty to iron was the prodigious ravages, as they stated, caused by the splinters of iron when the plates are broken and smashed by shot, and the greater facility by which ships of iron could be pierced below their armour-plating by submarine guns than wooden ships. On those points he would offer no opinion of his own, but would cite two able witnesses—one an extensive builder of iron ships, and the other a post captain in Her Majesty's navy. Mr. Scott Russell, in two able pamphlets, discussed the whole question of "Wood *v.* Iron," and the effect of shot upon them. The conclusions he arrived at were that iron ships could carry much heavier weights than wooden ones, that they were more durable, and that they were much safer against the sea, against fire, against explosive shells, against red-hot shot, and against molten metal. He maintained, in fact, that for all practical purposes they could be made impregnable, even against solid shot. Such was the opinion of a gentleman who had great experience as a shipbuilder, and who had dealt with the question not only theoretically, but practically, for a long series of years. He had no doubt that the opinions of Mr. Scott Russell would be borne out by the hon. Member for Birkenhead (Mr. Laird), a Gentleman who, from his vast experience, was much more competent to guide the House upon the question of "Wood *v.* Iron" than even the Controller of the Navy himself. In the course of 1861-2 Captain Halsted delivered a series of lectures before the Royal United Service Institution, and in the presence of a number of able and competent gentlemen, who would have contradicted him if he had gone wrong in his statements. The conclusions of Captain Halsted were almost the same as those arrived at by Mr. Scott Russell. England, he said, possessed a great advantage in the superiority of iron over wood as a material for the construction of ships. Iron afforded greater facility for procuring any required standard of strength without the process of seasoning, and with a certainty unattainable by wood; for producing any form, however finely modelled; for imparting strength to subordinate parts; for obtaining greater lightness with equal strength, and more room with equal exterior dimensions. Iron was also, according to Captain Halsted, adaptable to vessels of every size, was easy of construction, was attended with less expense, possessed of greater durability, was less liable to repair, and afforded superior security against leaking. Against the opinions of such authorities as Captain Halsted and Mr. Scott Russell, the Admiralty had done nothing more than refer to what they called the "prodigious ravages caused by the splinters of iron when the plates are broken and smashed by shot." Were they prepared to produce evidence in support of that statement? He rather thought that they had no experience in firing at ships built of iron. About sixteen years ago, it was true, some experiments were made with the *Ruby;* but she was a little vessel of only twenty tons, had been employed as a sort of tender at the dockyards, was entirely worn out, and her plates were not thicker than a half-crown piece. No wonder that the broadside directed against her caused "prodigious ravages." What, however, was the evidence of competent naval officers? One of the witnessess examined before a Committee, presided over by the present first Lord of the Admiralty, was Captain Hall, who commanded the *Nemesis,* an iron vessel, in China. Captain Hall stated that, from his experience in China, he had formed a favourable opinion of iron. Several wooden steamers were employed on the same service; but while they were invariably obliged to lay by for repairs, he was able to repair the *Nemesis* in twenty-four hours, and she was always ready for employment. On one occasion she was hit fourteen times, when one man lost an arm, and one shot went right through the vessel, coming in at one side and going out at the other. There were no splinters; the shot went through as a man might put his finger through a piece of brown paper, and the holes might easily have been stopped. Similar evidence was given by Captain Charlwood, who had also commanded an iron ship of war, and who said he had no doubt that iron ships could be made stronger than wooden vessels, and that shot in striking them would cause less damage and produce fewer splinters. The Admiralty themselves admitted, not only that iron ships were stronger than wooden ones, but that additional strength was given to wooden vessels by iron. He believed, however, that armour-plates in themselves did not add anything to the strength of the structure of a ship; on the contrary, he rather thought that the great weight of the plates tended to weaken the structure, especially in the case of a wooden ship, and to increase the strain in a gale of wind. A French witness had been produced by the Admiralty to prove that wooden ships, though not so strong as iron ships, were strong enough for our purpose. He saw no necessity for going to France or any other country for evidence upon any point connected with ship-building. The Admiralty might have learnt from any of their master shipwrights that, independent altogether of the great weight of armour-plates upon a ship, the greatest difficulty was found to make the stern frame of a wooden vessel strong enough to resist the tremendous vibration caused by the movement of the engines and screw. In the *Edgar*, a 90-gun ship launched at Sheerness, the play upon the stern frame was so great, that the master shipwright exclaimed in alarm, "For God's sake stop those engines, or you will drive the sternpost out of the ship." The next question which he desired to bring under the consideration of the House was this—was it advisable, presuming that these ships were to be built, that they should be built in Her Majesty's dockyards? Charges had, he thought, unnecessarily been made by the Admiralty against private shipbuilders, and it was only fair that the answer to those charges should be heard. In Admiral Robinson's report it was stated—"The first practical fact that comes before us is, that in no one instance have the contractors kept to their agreements with the Government, either as to time or cost." It went on to state—"There is no prospect that more than one out of the four iron ships last ordered will be delivered till many months after the period agreed upon;" that not one contractor only, but all had failed in their agreements, "and this clearly indicates the great uncertainty attending this mode of construction." The paper next stated that—"Two other difficulties present themselves—First, the general slovenliness of the work performed by iron shipbuilders, rendering the presence of an Admiralty inspector necessary on the premises wherever the contract ships are building, and leading to many difficulties between the contractors and the Admiralty;" and secondly, "the great temptation that beset the contractors, owing to the cost and difficulty of procuring good iron, to use inferior and cheaper material;" and moreover, that "after a contract is signed, no alteration or improvement, however great, can be made without submitting to any terms the contractor chooses to enforce." These were very grave imputations; but were they true? Why had the contractors not kept to their time? He had received a letter from Mr. Samuda, an eminent shipbuilder, who, writing to him from the Continent, said he had read with surprise the report of Admiral Robinson as reprinted in *The Times*. Mr. Samuda continued—

> "As regards Admiral Robinson's paper, it appears to me—1. Wooden hulls can, without doubt, be built by the Admiralty in their dockyards faster than iron hulls can be built in private yards under Admiralty specifications and Admiralty interference. 2. Therefore, if the Admiralty could show that a very pressing necessity existed, and could not be induced to trust the work to responsible builders to build on the builders' own specifications, the wooden fleet would undoubtedly be ready first; but, 3. Nothing short of pressing necessity ought to induce the House to sanction this, because wooden hulls when cased in armour-plates are well known to be a makeshift job only. 4. I believe that with an Admiralty specification, Admiralty inspection and direction, and Admiralty interference, iron hulls cannot be built in less time than they have been built—1, because the specifications are complicated in the extreme; 2, because the Admiralty insist on directing every amount of detail; 3, because they are unsettled in their minds and plans on many large points, and on almost every minor point of detail; 4, they take power in every third line of their specifications to have all the unexplained details executed as 'the overseer directs;' and the overseer

is very long, and makes many references to other Departments over him, before he does direct, so that, in fact, contrary to what Admiral Robinson would imply, the period of executing every contract lies practically with the Admiralty, and not with the contractor. He is, by his contract and specification, bound hand and foot, and is unable to use his own skill, or proceed at all without getting every point settled for him by the Admiralty, and of course all combination and system by which, and which only, large works can be done in a short time—namely, by preparing large quantities of work by one set of men, to enable them to follow up other work arranged to be in a certain state by a certain time, becomes impossible. Lastly, I am sure under Government arrangements iron vessels could not be built cheaper than those already built have been, including all extras paid. I believe in every case the contractors have scarcely covered their cost, in many have been losers; nevertheless, I believe that the Government have had full justice done by them as a whole, and that they (the builders) are not liable to the imputation cast on them for 'general slovenliness;' but also I should add that I doubt if either the *Royal Oak* or the *Prince Consort* have advanced sufficiently to enable even an approximate (certainly not an exact) estimate of their cost to be yet ascertained."

Now, Admiral Robinson's report, having been reprinted in *The Times*, had gone forth to every part of the world; and the Thames Ship-building Company, the contractor for the *Warrior* and other vessels, sent a reply to that journal, which had not yet appeared in its columns, owing, he presumed, to a pressure upon its space. He therefore desired, with the permission of the House, to read the Thames Shipping Company's answer. Their letter to *The Times* began by stating that—

"A paper on the construction of ships for Her Majesty's navy has just been presented to Parliament and printed. It is signed by the Controller of the Navy, and contains charges so grave, and at the same time so unfounded, against the contractors by whom our iron-cased ships have been built, and singles out so especially our firm, the builders of the *Warrior*, that we cannot pass it over in silence, and must request the favour of your giving our reply a place in your columns."

Having mentioned the nature of the charges, the writer proceeded—

"To all these accusations we give an indignant and complete denial. We challenge the Controller of the Navy and all his officers to produce a single example of slovenliness in workmanship or inferiority in material; we appeal to the thousands who have seen the *Warrior*, to every practical man who has examined her (and where are those who have not?), to her present condition after more than a twelvemonth's trial through the worst weather, and to the reports of her captain, as our vindication against these charges; and with the great companies for whom we have built some of the finest vessels afloat; with foreign Governments, by whom we are largely employed; and with the private firms for whom we have worked, we hope that we have established a reputation which will withstand even such a blow as one in the high position and armed with the authority of Controller of the Navy has thus sought to deal against it. . . . . As to our failure to fulfil our engagements either as to time or cost, we have specific facts to deal with. The Controller states that we 'agreed' to build the *Warrior* for '£210,225, including extras.' We never made any such agreement, nor anything giving even colourable grounds for such a complete misstatement. Our original contract sum for the *Warrior* was £190,225. On the 16th of March, 1861, six months before the *Warrior* left the Thames, we sent in to the Controller an account of extras amounting to £40,808, intimating at the same time that we had other large claims; and when all was finished we claimed, not the sum of £254,728, as stated by the Controller, but £269,600, of which we were paid only £251,646. The changes and additions made in the *Warrior* beyond her original design were, as these figures will themselves show, enormous; in fact, the ship as built was to a very great extent different from the ship as contracted for; and when she was finished, we took the following course:—We submitted to the Controller that these additions and changes were so extensive, our claim for extras so large and so difficult for the Admiralty officers to deal with, that the fairest course would be for us to show the Admiralty what the ship had really cost, and that they should pay us that cost with a profit of 12½ per cent, which, considering that all our resources had for more than two years been placed at the disposal of the Government, we did not consider unreasonable, nor so much as we might have claimed in an extra bill. The Controller of the Navy himself recommended the adoption of this principle of settlement, only reducing the profit to be allowed to us to 5 per cent, or £12,000. All our books and accounts were submitted to the closest investigation by the Admiralty accountants, who verified their absolute accuracy; and we consented to receive this settlement, although really, as we now desire to state, it gave us no profit as shipbuilders at all; not contemplating during the construction of the vessel the possibility of such a mode of settlement, all the iron and the armour-plates, which we manufactured ourselves, were charged to the ship at little over their prime cost, and at much less than the market prices, or what, had we been shipbuilders only, we must have paid, and the £12,000 given us as profit just about represents this difference."

On the charge of dilatoriness the writer continued—

"We frankly admit, as we have before done to the Admiralty, that had we built the *Warrior* without any alteration from the original design, our estimate of time would have been two or three months too little; but beyond that, we affirm that all the additional delay is due to the changes made by the Admiralty, and to the stoppage of our work, and the additional work thereby imposed upon us. . . . . With respect to our other engagements with the Admiralty for the completion of the *Valiant* and the *Minotaur*, we are prepared to prove that the delay in the former is in no respect due to us as contractors; and as to the latter, we shall launch and finish her within an additional time less than is due to the alterations and delays caused by the Admiralty themselves. . . . . We have always admitted that the Admiralty were right in seeking in every way to improve these vessels, and that in the *Warrior* the improvements were well worth all the time occupied in planning and carrying them out; at the same time, in our correspondence with the Controller we have protested, and do protest, against their system of blaming the contractor for the consequences of their own acts. Having dealt with the private question between the Controller and ourselves, we venture to make a few remarks on the public question as to the building of these ships in wood or iron, and by contract or in the dockyards. . . . . The paper admits the superior strength and durability of iron over wood, but imputes to iron certain disadvantages. . . . The bulkheads and double bottom, which are most disingenuously stated to be complicated and costly arrangements introduced to remedy local weakness, are, in fact, advantages which cannot be overvalued, which exist only in iron ships, and for which wooden ones possess nothing equivalent. The *Great Eastern* struck lately on a rock, and was saved by her double bottom. Many vessels have been saved by their bulkheads; and indeed if there was no other recommendation of iron, this alone would be a reason for preferring it to wood. . . . . The great fact, however, that all our large steam companies, the Peninsular and Oriental Steam Navigation Company, the Royal Mail, and the Cunard, &c., have long since abandoned wood and adopted iron, proves that at least these drawbacks, be they what they may, are more than counterbalanced by the advantages of iron. . . . . The Controller gives the cost of an iron ship at £214,000, as compared with a wooden one at £187,000, showing a saving of £27,000 per ship. Without questioning these figures, which cannot, however, be admitted as correct, we would observe that this is only the cost of the hull, and that in each case is to be added—the cost being the same—the machinery, say £50,000; the rigging and outfit, say £20,000; the armament, stores, &c., say £20,000 more. The real difference, therefore, is not between £214,000 and £187,000, but between £304,000 and £277,000. In other words, on the cost of five vessels as proposed, out of a million and a half for iron, the country is to save £135,000, even on the Controller's own showing; and that for the sake of this difference it is 'wiser and more economical to supply the wants of the moment by a cheaper and less durable structure.' We do not believe in the cheapness, but we only point out now how small the economy is to be; that, if these ships are built of wood in the dockyards, 'no more money will be required than what already appears in the Navy Estimates, whereas if built of iron by contract the whole of the money required to do so must be voted separately, in addition to the ordinary Navy Estimates,' is a most extraordinary statement. Build these vessels as we may, the £50,000 for machinery, the £40,000 for rigging, outfit, armament, &c., will alike have to be spent. If built of wood in the dockyards, each ship will require above 1,000 tons of armour-plates, to be purchased of 'contractors,' which with the expense of fixing will absorb some £50,000 out of the £187,000 put down by the Controller as the cost of each ship. Of the remaining £137,000, say roughly one-third in wages, or £47,000, will be spent if the ships are built in the dockyards, or saved if not; and of the £90,000 balance, representing the material, there will be timber, &c., in the dockyards worth the money if remaining there, or capable of being sold for the money to the contractors, or saving the money on the next Estimates by continuing in stock."

That letter had been forwarded to him by Captain Forde, managing director of the company, and there were important facts in it which would be useful in enabling the House to arrive at a sound conclusion on the subject. In an accompanying note Captain Forde said there were many other points to which attention might be drawn. First of all, in regard to time, the *Achilles*, building in Her Majesty's Dockyard at Chatham, he said, had been laid down in 1860, and was only half finished now. It had been already as long in hand as the company had taken to complete the *Warrior*. The statement, he further said, made by the Controller of the Navy was calculated to do great damage to a large and important branch of British enterprise, employing a vast amount of skilled labour; and the impression which was likely to be produced abroad, if that hasty statement was not contradicted, was that for honesty, good work, or good material, foreigners need not come here, and they had better resort to France or America. The Thames Ship-building Company had contracts with foreign Governments amounting to £600,000; Messrs. Napier, of Glasgow, had contracts with foreign Governments amounting to £800,000; the Millwall Company to the amount of £300,000, and Messrs. Laird and Son to the extent of £300,000. Here, then, were five companies having contracts with foreign countries to the amount of £2,000,000, employing 10,000 men, on whom probably 50,000 were dependent one way or another, and that statement was calculated to strike a serious blow at the capital invested in these large and important establishments. Surely there was distress enough already in the manufacturing districts without doing anything to increase its amount, and the Controller of the Navy ought to have considered that. He had spoken of only five firms, but there were hundreds of other ship-building establishments in the country to whom this statement would be most prejudicial. The Report, finally, recommended that the House should agree with the Admiralty that these ships should be built in Her Majesty's dockyards. Now, even if wooden ships were to be built—and he would take the sense of the House on that point—were Her Majesty's dockyards in such a state as to build these vessels economically and efficiently? On that point he would adduce three witnesses. These witnesses were the Committee appointed by the right hon. Gentleman (Sir John Pakington), the Royal Commission, and the present Secretary to the Admiralty himself. The right hon. Gentleman, he believed, would have carried out the changes recommended by the Committee if he had remained in office. The noble Lord might think that hon. Members below the gangway used rather hard words in regard to the Government of which he was a Member, but had the Members of that Government fulfilled the pledges of retrenchment and economy on which they were placed in office? He (Mr. Lindsay) and the rest of the independent Members had not left the two noble Lords and the Government of which they were Members. They adhered to their principles of retrenchment and economy, which the noble Lords had forsaken. But he was not objecting to the building of the five ships. If they were necessary to maintain our position in Europe, by all means let them be built. He would never raise his voice against maintaining the maritime supremacy of England. The only question was where they were to be built? He would take the noble Lord as the first witness. The noble Lord, on the 11th of March, 1859, before he became a Member of the Government, gave a graphic description of the Royal dockyards. He said—

> "There had been a system of extravagant expenditure pursued by the ship-building department of the Admiralty, which, he maintained, ought to be thoroughly looked into. In the statement he was about to make, the figures he should have to quote to the House really appalled him . . . . He did not think the House had the smallest notion of what had been going on in our dockyards, in the way of tinkering vessels, amputating them, performing all sorts of surgical operations upon them. They had their heads cut off, they had their tails cut off, they were sawn asunder, they were maltreated in every possible way . . . . His object was to introduce economy, and without economy there could be no true efficiency." And the noble Lord added that 'they wanted a little reconstruction at the Admiralty.'" [3 *Hansard*, cliii. 40, 46, 48.']

The noble Lord had been five years at the Admiralty, but what had he done to effect a remedy for the evils of which he complained, or to carry out the recommendations either of the Committee or the Royal Commission? His next witness should be the Committee on Dockyard Economy of 1859, of which Admiral Smart was chairman. They reported that—

> "There was an apathy and want of activity and energy pervading many of the supervising officers and many of the men apparent in the dockyards. The Committee consider that too little regard has been paid to the subject of cost, and have found abundant proofs of this fact. The Committee found almost a total want of representation to the superintendent of the men in regard to their idling their time, leaving off work before the time," and so forth, and they added that "the arrangements for the superintendence of the men while at work were generally objectionable."

By this Report it appeared that the average cost of shipwrights' labour on eight corvettes built in Her Majesty's dockyards was £5 9*s*. per ton, while similar labour on similar ships in private yards was £2 12*s*. per ton; and that in Her Majesty's yards the cost of labour varied from £4 8*s*. per ton, to £6 18*s*. per ton. The Royal Commission was composed of the hon. Baronet opposite, the hon. Member for Glasgow, and Lord Gifford, whose loss he deeply deplored. It confirmed the Report of the Committee, and called attention to the most unsatisfactory state of the accounts in Her Majesty's dockyards. He would admit that the noble Lord the Secretary to the Admiralty had made strenuous exertions to get accurate accounts, which, at the time he came to the Admiralty, were in a very lamentable state. But what had been done to carry out the other recommendations of the Royal Commission? They reported that—

> "The control and management of the dockyards was inefficient, arising from the constitution of the Board, the defective organization of the subordinate departments, the want of clear and defined responsibility, and of accurate accounts."

They pointed out a great many things which were in a most unsound state. They took Pembroke, which was solely a building yard, and calling for a return, found, that without taking into consideration the sum of £323,210 which had been expended upon works, such as buildings, machinery, &c., since 1848, the vessels built at Pembroke dockyard during that period, amounting to 65,435 tons, had cost £33 3*s* 5*d*. per ton for the hulls alone, and exclusive of fittings, &c. These were vessels of all sizes, but the great majority were under 1,000 tons. Allowing that the vessels under 1,000 tons cost £15 a ton, the average price of vessels over 4,000 tons might be put down at £45 per ton. The Controller of the Navy went into minute detail in the endeavour to make out that the building of wooden ships in the Royal dockyards cost a great deal less than the building of iron ships of the same size in private yards. The Controller took the case of a wooden ship of 4,200 tons. But that vessel, according to the cost of building in Pembroke yard—£45 a ton—would entail an outlay, if built in a Royal dockyard, not of £187,000, as the Controller estimated, but of £256,000. Even taking the cost at £35 per ton, such a wooden ship would cost £214,000 in a Royal dockyard, as against £172,677, the cost of the *Hector*. In conclusion, the Royal Commission reported that large retrenchments might be made in the expenditure without impairing the efficiency of Her Majesty's dockyards; and in that opinion he (Mr. Lindsay) entirely agreed. The ships of the merchants of this country were to be found in every sea, they carried the products of our industry to every country in the world. We built not merely the finest merchant ships in the world, but supplied most other nations with ships of war. How was it that our shipbuilders could not be trusted to construct ships of war for their own country? He was convinced, that as perfect reliance could be placed in our leading shipbuilders, it was desirable not to increase the work of construction in the Royal dockyards, at least till material changes were made in the management of these establishments, and that it was desirable to build the ships we required of iron and not of wood. He, therefore, with great confidence, begged to move the Amendment of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is not expedient to commence at the present time building Wooden Ships which are to be cased with Iron Armour Plates,"

—instead thereof.

Lord CLARENCE PAGET: Sir, in rising immediately after the speech of my hon. Friend I shall lose the opportunity of answering remarks which may be made by-and-by in the course of this interesting debate; but it is so important that the House should be made acquainted with the bearings of this question that I think it better at once to explain the views entertained by Her Majesty's Government on the subject. I gather from the remarks of my hon. Friend that he, at all events, will be no party to arresting the progress of armour-plated ships, and therefore, as far as he is concerned, I have little necessity for adverting to that point further; but, inasmuch as other hon. Gentlemen may take a different view, and may think that the armour-plated navy of England is so powerful that there is no necessity for making any further progress, unless with those ships which we have in hand, I shall address a few observations to the House by way of explanation. First of all, I am not going to make a detailed comparison between the armour-plated fleets of this and other countries; but I may state generally that, great as our exertions have been and still are, we are not yet in a position to abstain from further efforts. Now, upon this point it is very important that the House should be aware of the opinion of eminent men in France, as to the comparative naval position of the two countries, extracted from an authority which the hon. Member for Rochdale will acknowledge—the *Moniteur de la Flotte*. From that journal I have translated portions of a paper read at the Academy of Sciences in Paris about a fortnight ago, by Admiral Paris, a great authority upon ship-building, and himself employed in large works for the French navy. I shall read the concluding part first, because it is very striking. The Admiral says—

> "But, whatever be the future consequences of building iron ships, it must be remarked that we are so much in advance of other nations, that a marked superiority exists at present on our side."

Now, I trust these words have been heard by the hon. Member for Rochdale—[Mr. Cobden: More shame for you!]—because I saw him wince under the statement of my hon. Friend (Mr. Lindsay), when he said that he thought it would be necessary that continual progress should be made in the building of armour-plated ships. Now, I can distinctly assure the House that it is absolutely necessary we should continue to build armour-plated ships over and above those under construction. I need not repeat in detail the ships which are being built, but taking large and small we have now under construction twenty-one vessels which are to bear armour-plates—a smaller number than are being constructed over the water. Assuming that the House will not for a moment agree with my hon. Friend the Member for Rochdale that it is not necessary we should make further progress, I come to the interesting point upon which my hon.

Friend's Motion is founded—the respective merits of wooden and iron armour-plated ships. Now, nothing can be more fallacious than what we hear right and left as to iron ships being imperishable because they are made of iron only. Why, Sir, it is well known that in the construction of armour-plated ships there is necessarily a very large quantity of wood used, because we find in practice that no iron plates will stand the shock of heavy guns, unless they have a cushion behind composed of wood. Therefore, you have at once in iron armour-plated ships a very destructible substance which is more liable to decay than any other part. Therefore, whether we build armour-plated ships of wood or iron, we must use a certain quantity in the one case of iron in the other of wood. But iron ships, besides having a large quantity of wood, which is liable to decay, have other great defects. They are extremely liable to foul. My hon. Friends says that merchant ships, which go over the world, are built mostly of iron; that they go their voyage, come home, and again go out, being for months without docking. But we have found that the *Resistance* had a marked superiority over the other ships with which she was tried, and what is the reason? She had been two months less time out of dock than the *Defence*, three months less than the *Black Prince*, and five months less than the *Warrior*. It was quite incorrect to say that the *Warrior* had not been docked for two years. Captain Cochrane had said that when six weeks afloat she lost one knot an hour. That was a very important point. It is idle for my hon. Friend to tell us that because iron merchantmen can go over the world without docking, men-of-war can do so too. Here is an important point which my hon. Friend did not bear in view. A merchant ship goes out for a particular purpose, she takes in her cargo, and comes back upon a return voyage. But what does the navy do? Their normal position, so to speak, is in harbour—they are placed on distant stations for long periods to protect our commerce; and, instead of being kept constantly in motion, they are stationary at various foreign places, where necessarily great aggregations of grass and shells foul their bottoms. Now, hear what Admiral Paris says upon this point—

> "There are differences of opinion as to the materials of which armour-plated ships should be built. The English have adopted iron, we wood. The first is adapted to very large constructions, it lasts longer, but it greatly interferes with speed and steerage, owing to the immediate deposit of grass and shells, necessitating continual docking and painting."

Thus, there is not only a question of a loss of speed, but of actual steerage. We have it not officially, but it has been stated in the newspapers, that in American waters a conflict recently took place between two vessels, the *Alabama* and the *Hatteras*, and the defeat of the latter was attributed to the foulness of her bottom, she being an iron ship. I do not vouch for the fact, but such is the cause assigned. I have referred to Admiral Paris, and the hon. Member for Sunderland will admit that he is a high authority. The hon. Gentleman will admit that the French have not been unsuccessful in their efforts to form a splendid navy, and that they have an admirable knowledge of the principles of naval construction. Admiral Paris says, with regard to the iron ship—

> "Its greatest defect is due to its weakness against shot or shell which might strike below the armour-plating when the vessel rolls, causing, probably, the loss of the vessel, in spite of the numerous water-tight compartments."

That is the opinion of Admiral Paris, and, I believe—indeed, I know—it is also the opinion of M. Dupuy de l'Ome, for I have the authority of the Controller for saying, that he has just received a letter from that distinguished gentleman in which his preference is stated to be rather for wood than for iron. My hon. Friend has quoted largely from Mr. Scott Russell upon this question of iron ships as compared with wooden ships. Now, the right hon. Baronet the Member for Droitwich (Sir John Pakington) presided last year at a meeting of the Institute of Naval Architects, when a paper was read by Mr. Scott Russell, in which he recommended strongly that we should get our fleets built by him and of iron. But it happened that there was also at that meeting another eminent shipbuilder, Mr. Ditchburn, who is well known as having produced some very remarkable vessels, and who is as much an iron shipbuilder, I believe, as Mr. Scott Russell. Mr. Ditchburn said—

> "In considering the strength of ships, it is right to remember that in ships-of-war the bottom is made exceedingly strong; for in addition to the thick external planking which is fitted near the keel, the spaces between the frame timbers are filled in with timber, the frames and fillings being bolted together. Such ships are therefore

superior to any iron vessel I have ever seen with respect to strength of bottom."

If any hon. Member will move for the Return, he will find that of vessels built for the navy, and lost, the greater proportion are iron vessels. We know that iron is brittle, and cannot, on striking against a rock, resist the blow like wood. Let us take the case, which happened the other day, of the *Defence* armour-plated ship, the pea of whose anchor struck against her side, close to the water, and knocked out a large piece. If such an accident had happened at sea, it might have caused very serious inconvenience. It is the particular characteristic of the ordinary iron ship, that although rigid, it will not bear a sudden blow. I am an advocate for iron ships; and if we could get over these difficulties, I would prefer to see iron armour-plated ships; but, I believe, in saying so I am in a minority among naval officers. I can assure the House, that having discussed this question with very many naval officers, the majority of them have said to me, that they would prefer to command wooden armour-plated ships rather than iron armour-plated ships. Now, I must refer to the paper that has been laid upon the table of the House—the Report of the Controller of the Navy. In doing so, I wish hon. Members to understand that nothing was further from Admiral Robinson's intention than to commit any injustice towards the eminent shipbuilders who have been referred to. We have every reason to be generally satisfied with the great contractors, but Admiral Robinson felt it to be his duty to point out where their work did fail, and I think in doing so he was only doing his duty as a public servant. Admiral Robinson, however, has written me a letter, of which I will read a portion to the House—

> "There is an expression in the paper presented to Parliament relative to the materials of which armour-plated ships should be built which may be misunderstood, and, if so, may be annoying to the feelings of iron shipbuilders. By 'the general slovenliness of the work performed' I mean only this—that the general standard of iron ship-building work in the trade is so far below what the Admiralty has considered necessary, and has enforced upon its contractors, that they have complained again and again of our insisting upon work being better done than was habitual in the trade. I may add, that there is no quality of work that we have exacted from our contractors, no degree of excellence in workmanship that we have required from them, that we have not ourselves put in practice in our own dockyard at Chatham while building the *Achilles*."

Upon this point I may quote from a letter which the Admiralty have received from Messrs. Napier, the eminent shipbuilders, dated March 11. Those gentlemen say—

> "The unusual test by which the quality of the iron was ascertained, and which had not previously existed in ship-building, was a source of the greatest delay and loss to us, and this could not have been foreseen when we made our estimate. In attempting to attain the strain of twenty-two tons per square inch, and otherwise satisfy the inspectors, we had to pay a very large amount beyond what could ever have been expected from the previous experience we or any other ship-builders were possessed of, and, moreover, had the greatest difficulty in getting, at any price, iron which would stand the test from the most eminent makers either in England or Scotland."

The test required is twenty-two tons to the square inch, but Professor Fairbairn says that the best material ought to bear a strain of twenty-five tons to the square inch, so that we do not exact so much as scientific authority states we ought to require. Well, then, it is said that the Admiralty Inspectors are extremely severe. Sir, it pleases me beyond expression to hear that those gentlemen do watch the interests of the public. In former days, as we have heard, the inspectors used to be so intimate with the contractors that they always approved everything which the contractors did; and it is to their credit that they now do try to protect the public.

Having thus endeavoured to make peace between the Admiralty and the shipbuilders, for whom we have the highest respect, I may now, without troubling the House in detail with the statements of the Controller, say that in my opinion his views as to the comparative merits of wood and iron are extremely fair. He gives to iron the credit of great durability, and of much greater strength in very large structures than wood possesses. In short, he says that after a lapse of years the iron frame would have suffered next to nothing as compared with a wooden ship. I entirely go with him in this. But against those advantages he sets "the serious local weakness of the comparatively thin plates of which the bottom of an iron ship is necessarily composed" (I have given instances of that in the *Defence*); "the danger, consequently, of getting on rocks in such ships," and "the necessity which this weakness entails of constructing double bottoms, thwartship bulkheads, water-tight compartments, sluice-doors, &c., and various other complicated arrangements which add both to the weight and cost of an iron ship." My hon. Friend tells us, that these water-tight compartments, even if a hole were made in the bottom of a ship, would keep the water entirely out. Yes, if you can get them; but in no case in the ships supplied to the Admiralty have the water-tight bulkheads been water-tight. I trust that they will be more perfect in the new ships; but, as yet, not one of those ships has bulkheads or sluice-doors which are perfectly water-tight. The fact is, that the question of wood *versus* iron is one which may be argued any way. On both sides the greatest possible amount of argument may be adduced. The advocates of iron may show immense advantages over wood. On the other hand, those who are not devoted to iron, but who take a disinterested view of the matter, are bound, in stating the case to the public, to show that iron armour ships are not altogether without very serious defects. There is another matter—the relative cost—which I agree is of small importance compared with the necessity of having the best article. It is, I think, not quite fair to bring into a debate of this kind the Admiralty management for years past in our dockyards. But, since this matter has been alluded to, I cannot quite pass over it. Now, I cannot help saying that my hon. Friend is misleading the House, if, when he alludes to the Reports of the Dockyard Commission and the Committee presided over by Admiral Smart, he gives the House to understand that those Reports have not been very carefully considered by the Admiralty, and that great improvements have not in consequence been introdued. Take the Report of the Committee. The gist of Admiral Smart's criticism was the apathy of the dockyard officers, owing to the system then existing. Well, Sir, we agreed in this criticism, and we did in the dockyards that which has had grave political consequences. We established a rule by which for the future no artificer should be promoted to a higher grade after the age of forty-five, thus giving young men from the time of their entering the service an opportunity of fitting themselves for higher posts; and if they have not so fitted themselves by the time they are forty-five, we hold that they are no longer fitted for promotion. The consequence is, that we are taking young men to superintend the artificers, instead of men of an age when we could not expect from them anything like effective superintendence. Then there is the Report of the Dockyard Commission. My hon. Friend pays me a few compliments for having originated this inquiry. If he will look at some papers which are now on the table, he will see what has really been done in conformity with the Report of that Commission. Here are two papers which will give my hon. Friend some little amusement if he will take them home with him to-morrow. One is the balance-sheet of the cost of manufactured articles in Her Majesty's dockyards for 1860-1; and another is a Return of expenses incurred in building, converting, repairing, and fitting Her Majesty's ships. By referring to these Returns my hon. Friend will see the cost of every article. It is prepared on the double-entry system, and is, I believe, as correct an account as is to be found in any mercantile establishment in the kingdom. We have adopted many other recommendations of the Royal Commission, though some of them we could not adopt. For example, it was recommended that there should be laid on the table the expenses incurred on Her Majesty's ships, and that the Estimates should be accompanied by an annual programme of ship-building works; and I now state to the House exactly what we are doing, and what ships we have got for our money. I mention these things to show that the Report of the Royal Commission has been a text-book for the Admiralty; and I am sure that, if the House has patience, our ship-building accounts, which were very indifferent a few years ago, will be well framed and will represent fairly the cost of the ships at the Royal yards. Moreover, my belief is, that if you come to look at these accounts, you will find that the work is not so expensive in the Royal yards as the House supposes, and as I confess that I used to suppose.

I will turn now to the very important point whether we are to build of wood or of iron, and I beg the House to consider, that if we build of iron by contract, we must be prepared at once to state distinctly and specifically what we want. Now, is any man in this country prepared to state what we want? [*A laugh.*] Hon. Gentlemen may laugh, but, in the face of daily changes, will they tell me what they want? What is to be the form and size of the ships which are to compose our future navy? In the present state of transition, no one can say. You have got broadside ships, you have got Mr. Reed's form of construction, and the turret ships. Who can tell me which of these is the best? We are making experiments, and are watching the performances and peculiarities of each class; but until we have got specimens of all these ships at sea, and can fairly test them, it is impossible to say what we shall want two years hence. For the House must remember, that if we enter into contracts for iron ships, we must be prepared to state what is wanting at this future period. It has been shown that vessels under contract cannot be finished under that time, and I do not think we can expect that builders should complete them in less time; but the reason why the Government have paused before entering into fresh contracts is because we are not prepared now to state precisely what, not the bottoms, but the upper works of these ships should be, which are to be completed two years from this date. I shall, perhaps, be told by some ship-building authority, "Why not put it into our hands, and as we go on you can make such changes as you please?" Well, we did that once, but we burnt our fingers. We had very much this sort of feeling when we ordered the *Northumberland*, the *Agincourt*, and the *Minotaur*. The House will remember that there had been great discussions whether the armour-plates should be 4½ inches thick with an 18-inch backing, or 5½ inches and a 9-inch backing. This has been a moot point, and it was only yesterday that experiments were made which, as far as they go, are satisfactory, as showing that we did right in choosing the 5½-inch plates with a 9-inch backing. When we ordered these ships, we left ourselves a margin. We said, "You shall build these ships, and in the course of a certain number of months we will tell you what is to be the thickness of the armour-plating and of the backing." The time came, but the experiments tried were altogether insufficient, and at the end of three months we were just as unable to come to a decision as when we entered into the contract. The builders then said, "We have arrived at a stage when you must decide one way or the other," and we were obliged to come to a decision in the dark. That was a mere question whether you should have thicker armour-plate and thinner backs. But what is the question before the public now? Nothing less, than the whole form and shape from the water-line upwards. Here are the Americans, who have adopted the turret principle; but they built things which the moment they went to sea went to the bottom. The *Monitor*, as soon as she was caught in a gale of wind, was shown to be unfit for sea. Now, we do not like ships that go to the bottom. We want to build ships which shall remain on the surface. We are told, that if we have turrets, we cannot carry masts and rigging, as they would interfere with the range of the guns. That and other difficulties we are endeavouring to get over, and I trust they will be got over. I do not wish to speak too confidently of turret ships, because they are still matters of speculation. I have confidence in them, but many officers and other great authorities have not. Then, we have Reed's plan, which is a square tower in the centre of the ship, and Mr. Reed says that by concentrating your weight in and near the centre you may have thicker armour as a coating to that tower. We are trying his principle, and we are also building ships wholly armour-plated. Mr. Whitworth tells you that he will pierce through any armour-plating you may have, not only with shot but with shell; and if he is right, what is to become of armour-plating? I trust these vessels will resist shell, but I mention these matters, though at the risk of wearying the House with matters of detail, for the purpose of showing that it is impossible for any Goverment now to undertake to give distinct specifications, such as would be absolutely necessary if they desired to build ships by contract. It is impossible in 1863 to give such specifications as should rule the building of iron ships for the navy of 1865. We have, however, given this subject our careful consideration, and we believe that we can progress gradually, and not by fits and starts, as has hitherto been the case, which only produce alarm in the country. The Government believe that the navy is in a satisfactory state with respect to the present year, and in a satisfactory state of progress for the year to come also; but it is still absolutely necessary that we should progress in building ships. We are of opinion that on the whole it is advisable that we should prepare, in the Royal dockyards and at leisure, a certain number of wooden frames for armour-plated ships, which we can hereafter, as further experience suggests, finish according to the most approved system of the day. But I shall be told by those interested in iron, that if we build the vessels of iron, we may reduce the dockyards. Nothing is more fallacious than that. I have a statement, showing the proportion which ship-building bears to other work in the dockyard, and it appears that the immense part of the business consists of repairs and in providing for the fitments and requirements of the fleets. In 1858 the total amount of wages paid in the dockyards was £941,490. Of this there were expended for wages on building, including conversions, £191,145 only, leaving for wages for all the other services in the yards, and for the great business of repairing and outfitting, £750,355. In 1859-60 the total amount of wages expended in the dockyards was £1,483,511. The wages expended on all the services I have alluded to, with the exception of building, was £1,012,043, leaving £471,468 for wages on buildings and conversions, and that at a time when great exertions were being made in building ships. In 1860-1 the total amount of dockyard wages was £1,364,372, out of which only £324,509 were expended for wages on building and conversions, leaving for wages expended on all the other services £1,039,863. I assure the House that it will be impossible to reduce the dockyard wages by undertaking to build proposed ships of iron in private yards. Therefore, in that respect, I think that my hon. Friend's remarks will entirely mislead the House. Assuming, however, what I do not believe will be the case, that the House will think fit to undertake the great responsibility of taking this matter out of the hands of the executive Government, what will be the saving? It will amount probably to £665 on each frame, which, multiplied by five, will give something over £3,000 as the amount saved, against which I should have to propose a large Supplementary Estimate for commencing contract-built ships. Taking into consideration that we want to progress gradually, and that we are not at the present moment prepared to say what the armament and upper works of our ships should be, I think it a more wise thing to have a certain number of frames laid out; so that if we find exertions are taking place elsewhere, we can in a moment set to work and build the ships. We could, having the frames ready, finish a ship such as I now allude to in a year, probably, if great exertions were used; whereas to build one iron ship by contract would take two and a half years or two years at least. Thus we might go on gradually progressing; and this, in our opinion, is, on the whole, the most advisable course, and preferable to entering at the present time into contracts for iron ships. If, however, it should be the pleasure of the House that the Government should construct these ships of iron, the House must be prepared, as I said before, for a Supplemental Estimate, but I trust that the Motion of my hon. Friend will not be agreed to.

Lord LOVAINE said, he did not think, with reference to the difficult question under discussion, that the House was competent at present to come to a correct decision. The subject was surrounded with difficulties; such, for instance, as the galvanic action which caused corrosion to take place rapidly. The issue raised by the Motion which had been proposed was one which ought not to be submitted to the decision of the House, but should be left in the hands of the Executive; for it was impossible that a number of Gentlemen like the Members of that House could be cognizant of all the detailed information which was only to be gained from experiments systematically carried on. He should therefore decline to vote.

Mr. DALGLISH said, he would have been quite content to leave the matter in the hands of the Government, if it had not already been in their hands for the last four years; and during that time they certainly had not taken that action with regard to reform in the dockyards and other improvements which, in his opinion, the House had a right to expect. No doubt an influential Committee was appointed two years ago, but the objects with which its members were selected had not been carried out. The noble Lord commenced his speech with an admonition to the hon. Member for Rochdale (Mr. Cobden), as if that hon. Gentleman had offered any opposition to the increase of the navy. On the contrary, he had always heard the hon. Member urge that the navy of England should be so efficient as to be able to cope with all the world. The noble Lord had then proceeded to discuss the question, and stated that every six weeks during which iron-plated vessels had been out of dock produced a diminution of one knot in the rate of speed. If that were so, the *Warrior*, which had been out of dock ten months, ought at least to have lost five knots of her speed; but she came up Channel the other day steaming eleven knots and a quarter an hour, with her boilers at not much more than half power. It might be perfectly true, as contended by the noble Lord, that the bottoms of wooden ships were much more strongly built than armour-plated ships. But did that assertion apply to screw or merely to sailing vessels? He wished to inquire whether the noble Lord was aware of what happened to the *Orlando* recently? He was told that that vessel—a frigate of 800 horse power—in going out to Halifax opened her seams so much that they had absolutely to put in 3-inch rope before they were able to caulk her. Could any one conceive a more dangerous state for a ship to be in? The Admiralty had decided that a different test should be applied to the iron used for their purposes from that which was generally adopted for iron-plated ships. Those vessels, however, performed all the duties that were required of them, and unless the Government could show some much stronger reasons than they had yet done for the change, he did not see why they should refuse to be satisfied with the test which was held to be ample for the costly fleets of the Royal Mail, the Cunard, and Peninsular and Oriental companies. If the Government established a standard, it should be of a degree suited to the ordinary circumstances of the country. The Admiralty Surveyors no doubt did their duty in looking sharply after the construction of vessels, but it was quite possible that they might go beyond what was necessary in their requirements. So many difficulties might be thrown in the way of a builder out of the dockyards which were never heard of in the dockyards as to render it impossible for private builders to compete with the public establishments. When he heard that none of the bulkheads were ever tight, he doubted whether there might not have been attempts in the dockyards at improving those bulkheads. He believed that these were much better and stronger when not minutely subdivided. It was represented by the noble Lord that the use or conversion of timber in the dockyards would only cost £665 per ship, but they all knew that expenditure only commenced at that point. He trusted the House would take the matter seriously into consideration and not allow itself to be persuaded that the dockyards had any possible superiority over private builders. The dockyards had no previous experience in iron ship-building. Reference had been made to the greater delay which took place in the construction of ships in private yards, but he should like to hear a specification of any such delay that had taken place. He desired to see what was the comparative cost of the *Warrior* and *Black Prince*, built in private yards, and that of the *Achilles*, built in one of the dockyards, and he ventured to say that the last-named vessel would not be found to be the most economically constructed. He trusted his hon. Friend would persevere in his Motion, and would take the sense of the House upon it.

MR. LAIRD said, the noble Lord the Secretary to the Admiralty had given the very best reasons in favour of building ships of iron when he stated the great bulk of wages in the dockyards was paid for repairs. Surely, if that were so, they ought to look out for some material which would not ruin the country by entailing these excessive and continual repairs. The noble Lord, as a reason for not commencing iron vessels, said they could not yet tell what sort of ships would be required. He wished to know, whether, when the plans were finally settled, vessels could be altered at a cheaper rate if constructed of wood than of iron, and in the public instead of in private dockyards. The noble Lord, in his excessive fondness for wood, spoke as if the teak backing was of primary importance even in an iron ship. Any one at all acquainted with the subject must know that an iron ship like the *Warrior* was a perfect vessel before the teak backing was introduced; and in the event of any defensive armour of a more effectual kind than the present being discovered, the teak could be removed and the new material substituted at very little cost and without damage to the vessel. In the case of a wooden ship, however, the planking would most probably be torn to pieces if such an operation were attempted. The noble Lord supported his allegation that iron ships were very apt to foul by referring to the *Warrior;* but if that were the worst instance which could be adduced, it rather went against the noble Lord's argument. The *Warrior* went to sea with a speed of thirteen knots with full power, and on her way home, after being out for eight months, she came up the Channel at the rate of eleven knots and a quarter at half boiler power. Then, again, in the case of the fight between the *Alabama* and the *Hatteras*, of which, however, he knew nothing beyond what had appeared in the newspapers, it was the superior force of the former, and not the fouling of the latter, which decided the contest. In Admiral Robinson's report it was stated, that while iron ships were more rigid and durable than wooden ones, they were more open to damage by missiles under water. He disputed that assertion. When the *Great Eastern*, an iron vessel, with a double bottom, lately struck on a rock at New York, she could have returned at once to this country without being repaired, had it not been for the underwriters. Again, about twenty-three years ago he built an iron vessel called the *Nemesis*, which, on a voyage from Liverpool to Portsmouth, ran on some rocks. The water got into the fore compartment only; and she steamed on to Portsmouth, where she was docked and fully repaired within a week, and at the cost of only £40. That vessel was built in the usual way, and was not inspected by the Admiralty. Her safety, on the occasion referred to, was due to her bulkhead being perfectly water-tight. A similar event occurred in the East Indies, where a vessel belonging to the India Company, after having struck and suffered considerable damage, steamed to a place of security 1,500 miles from the scene of the accident, where she was repaired at a small expense. He had no hesitation in saying, that had that vessel been built of wood, it would have been lost. It was true, perhaps, that the injury done to an iron ship was usally of a more local character than in the case of a wooden ship, but then the repairs were also more local. When an iron-plate sustained any damage, it could be taken out and replaced at the cost of a few pounds; but a wooden ship could be repaired only at an enormous outlay. He had received a letter that very day from Liverpool, in which the writer stated that 120,000 tons of shipping were being built for Liverpool shipowners at present, but he could not hear of any large wooden ships on the stocks. The shipowners had all made up their minds that iron ships were more serviceable and economical, and would have nothing to say to wooden ones. The Peninsular and Oriental Company some years ago deliberately adopted iron as the material of their ships, and had seen no reason to repent the experiment, but, on the contrary, every reason to adhere to the new system. The Cunard vessels, lately built, which crossed the Atlantic in all weathers, and braved the most severe and trying storms were also of iron. In the event of a shell exploding below water the chances were that a wooden vessel would go down, whereas an iron one would probably be affected only in one compartment, and would continue to float. It was a great mistake to suppose that armour-plates strengthened a ship; so far from doing so they actually weakened her, because the immense weight added to her sides rendered it necessary to cut off the upper deck to compensate for the extra weight of armour-plates. The noble Lord said the wooden vessels could be got ready in a very short time; but it was well known that when even the smallest craft, such as gunboats, were constructed in great haste, it was not long before their worthlessness was discovered. The Admiralty ought to take care that in their hurry they did not use insufficiently seasoned timber, which before a year or two was over would be seized with dry-rot. It would also be well to find out, before more wooden ships were built, whether those which had already been iron-plated would hold out against a storm at sea. That was still a matter of doubt. When the French began to reconstruct their navy, they could not build iron ships to any extent. They applied to him, and he built a number for them. But the Emperor had given great encouragement to the construction of iron vessels in public and private yards, and the result was that the French were becoming quite expert at the work. As long as wood was used for their fleet, they would have to go to other countries for a supply of timber; but if they used iron, we should be independent of foreign aid. The difference in cost between iron and wooden ships ought not to deter them from adopting the former material. The great point was to get ships which would last a long time without repairs—these were the cheapest in the end. There could be no doubt that Admiral Robinson's Report had produced much suspicion and distrust in regard to the ironmakers and shipbuilders who held contracts for the navy. If any of them had supplied bad iron or done imperfect work, they ought to be exposed by a public investigation; but, on the other hand, if they had fulfilled their contracts honestly, they ought to be cleared from the imputation which had been cast upon them as a body. There had, no doubt, been some difficulty in getting iron of the exact kind which the Admiralty required, but the manufacturers were becoming every day more capable of producing it. He had that day been told by one manufacturer that he was going to turn out armour-plates 12 inches thick. One great advantage of iron over wood was that it required no seasoning and was easily altered and adapted to the wants of the day. He might mention in reference to this subject, that while in business he had built forty ships for the Admiralty, that there had never been a complaint as to the work or materials. The system of contracting for ships, as at present in practice, was a bad one. In the case of engines the parties contracting were required to send in their own plans, and were judged according to those plans. That system had raised English engine-makers to the head of all engine-makers in the world, and the adoption of a similar system in regard to the building of ships would prevent the recurrence of these complaints about bad workmanship, and would insure that the contracts would be intrusted only to men who knew how to build a ship, and would give their attention to it. The adoption of such a course would do more than anything else to develop the ship-building talent of this country, and would place the navy in a position such as it had never hitherto occupied. If the Admiralty were allowed to cut out these frames, they would in a few months be converted into something else, and in two or three years but little of the original timber would be left. He looked upon this as an attempt to get in the small end of the wedge for an expenditure of £1,300,000 or £1,500,000 on the plea that we are going to spend only £500, or £600. In his opinion it would be better to sell the timber and wait for a few months, until they saw what Captain Coles's ship and the *Royal Oak* would do. They had tested the iron ships, let the Government now transfer their crews into four of the wooden ships and send them into the Atlantic for twelve months, and then decide whether they would build iron or wooden ships.

Mr. J. C. EWART said, that he had been for some time past a director of the Peninsular and Oriental Company to which reference had been made. That Company had forty-one iron vessels, of an aggregate burden of 61,700 tons, and were building six more of a burden of about 12,300. Those vessels had been built by contract on the Tyne, the Thames, the Clyde, and the Mersey, and had given the most complete satisfaction. The troop-ship *Himalaya*, the best transport on the service, was built for them by Messrs. Mare, and afterwards sold to the Government. Two or three of their old iron steamers, having become antiquated in form, were being converted into sailing vessels, and Lloyds surveyor, in a report dated August, 1862, said of one of them, "The bottom plating externally presents a most satisfactory appearance, being free from corrosion, with scarcely any defective rivets, or any leaking butts or seams." That vessel was built in 1847; and as she had performed a great deal of hard work, he thought that this was a good proof how faithfully she had been built. Another vessel, the *Garryowen*, constructed by Messrs. Laird, was now in the Shannon in almost as perfect a state as when she was built. As additional proof of the capability of private builders to construct iron ships, he might refer to the magnificent line of steamers employed in the postal service between Holyhead and Dublin. In the case of those vessels a form of tender was sent to a few of the most eminent builders, merely specifying the size of the vessels, the speed desired, and the accommodation required, all the rest being left to the contractors. How satisfactory the result had been was known to every one in the House. As a large proprietor in steam-packet companies, he had the greatest confidence in the building of ships by private contract.

Mr. CONINGHAM said, he had always entertained a very decided opinion that it would be far better, and far more economical, to build our vessels by contract than in the Government Dockyards, and he was glad to find that his opinions were justified by the authority of some of the ablest and most experienced men in the country. He could not see when the system of contract had been so successfully carried out with reference to engines, why it should not be applied to ships. He had pressed Admiral Robinson on that point when examined before the Select Committee; and while he admitted that the manufacture of engines was perfectly successful, he seemed to think there was some abstract reason making it impossible to have, under a system of contract, that thorough inspection which was absolutely necessary. He would certainly support the Resolution of the hon. Member for Sunderland. The only question was whether the Resolution ought not to have gone beyond the question of iron plates, for he was informed that the system of iron plating might be succeeded by the more effective system of steel plating. He regretted the reactionary and retrograde policy adopted in that as in other matters by the Government.

Mr. JACKSON said, the great difficulty was, not as to whether they should build iron or wooden ships, but as to what they should do with the artisans in the dockyards. The Admiraltywere overridden by officialism, and one reason why they could not adopt a proper and economical mode of construction was that they could not send their vast hosts of workmen about their business. The country was paying £1,400,000 per annum in superannuation allowances. He wished to know, whether the Admiralty were taking steps to prevent any further increase in the number of their non-effectives? There was no reason why the workmen in the dockyards should not be engaged from week to week, instead of being permitted to establish a claim for superannuation.

Mr. BENTINCK said, a great deal more was meant by the Motion than met the ear. Ostensibly, the House was discussing the comparative merits of wooden and iron ships; but that was the least important part of the question. Upon that subject very little need be said. The noble Lord the Secretary of the Admiralty had disposed of it when he told the House that there was a great deal to be said on both sides, and that no living man could say what would be the result of the various experiments now taking place. Two things only could test the matter. One was inevitable—time; the other he trusted was long distant from us—war. His own opinion was that the right system of shipbuilding should embrace the use of both wood and iron—an iron frame with wooden planking; and that he thought would be the most economical, the most durable, and altogether the best mode of building heavy ships. He would not insinuate that there was anything of self-interest or of improper feeling or object in any views or opinions which had been expressed on the subject in or out of the House. Every allowance must be made for the impressions of men in favour of a particular branch of trade or manufacture in which they had been long engaged. But the most important part of the question raised that night was not so much whether they were to build ships of wood or iron as whether they were to be, to a certain extent, independent of the private building yards, or be solely dependent on them. He, for one, could not think it advisable for this country to be dependent for its navy solely on private yards. It had been said that a great deal of the difficulty which had occurred in building in the private yards was attributable to Admiralty interference; but, on the other hand, it had been shown that without such interference the Admiralty could not have justice done to the country by obtaining the best work. His noble Friend the Secretary to the Admiralty had proved also that no practical economy would result from the complete substitution of the private yards for the public dockyards as far as building was concerned. To render our dockyards incapable of undertaking the construction of the heavier class of ships, would be to do a very unwise and impolitic thing; but if it could be further shown that no real economy would result, nothing more was needed to discredit the proposal. It had been openly stated that there had been much to find fault with in the mode of construction in the private yards; that it had required constant Admiralty superintendence to prevent the introduction of bad work, and that the iron used in building for the merchant service differed in quality from that used in constructing ships for the navy. Here, then, they had the whole case in a nutshell. Nothing could be more impolitic or dangerous than to denude the Royal dockyards, and leave ourselves entirely dependent upon private enterprise. The rivalry carried on between private shipbuilders and the *employés* of the Admiralty was, he believed, beneficial to the country, and he hoped the double system would long continue. But, if any circumstances should ever render the two incompatible, he should say unhesitatingly let them dispense with private enterprise and rely on their own dockyards for the construction of their fleets. It would be utter destruction to the position and safety of the country if the dockyards were so placed as not to be able to construct every description of vessel. One more remark. The real effect of the Motion of the hon. Member for Sunderland was this:—He proposed that the House of Commons should take out of the hands of the Government of the day the details of the business of a great department of the Government. [*Cries of* No, no!] No! He said, "Yes." He contended that the Motion simply amounted to this:—That the House of Commons were dissatisfied with the mode in which the Government of the day were conducting a particular Department; that they expressed their dissatisfaction at the manner in which the Department were carrying out certain details; that they thought those details ought to be differently carried out; and that they intended to take out of the hands of that Department the conduct of those details, and to prescribe a mode in which they should be conducted. That was the substance of the Motion. He ventured to say that such a course was most mischievous, and he would go further and say it was most dangerous. He could imagine nothing more unconstitutional than the adoption of the principle of that Resolution. Whatever his opinion might be with regard to the Board of Admiralty, this was not the way to apply the proper correction; and whatever was done, he trusted that the House would never sanction the principle that the House of Commons was to become the executive in matters of detail.

MR. H. ROBERTSON said, that he saw no impropriety in the House honestly and distinctly telling the Government what it wished them to do in the matter. In his opinion the very reasons assigned by Admiral Robinson to induce them to build ships of wood ought rather to induce them to build them of iron. The delay and cost complained of as incidental to building ships for the Government by contract were the result of the officials of the Admiralty really not understanding what plans and specifications to adopt and adhere to. The Controller of the Navy sent out plans and designs which could not be executed without material alteration. That naturally led to increased cost, for which the contractor was in no way responsible. Take the case of the *Warrior.* The price first contracted for was £210,000, and the actual cost was £254,000. The contractors did not, however, get that excess of £44,000 as a simple bonus or gratuity, but for additional work that had to be done in consequence of the acts of the Controller. There was no difficulty in the contractors or the Government getting any description of iron they pleased if they only specified what they wanted, and chose to pay its cost. He was convinced that the country was now paying larger prices than were necessary for iron plates, simply because the Admiralty inspectors, not having a correct knowledge of the qualities and properties of iron, laid down improper rules for the guidance of the manufacturers. The result of the incompetence of the inspectors sent down frequently was, that they sometimes ordered an inch to be cut off the ends of the plates simply because somebody happened to say that ought to be done. The result was, that those whose work they were sent to inspect had to pay dearly for the want of knowledge which those gentlemen displayed. He, for one, should like to see a principle of competition established, by means of which a fair standard of comparison might be obtained between ships built in Government and those constructed in private yards. If the Admiralty, out of every four ships, would have one built at Chatham and three at private yards, they would obtain the necessary standard of comparison. Without competition there could be no comparison; and as he objected to monopoly and a sort of "protection shop" in ship-building, and was satisfied that iron was a better material than wood, he would support the Motion.

MR. BEECROFT: The statement issued the other day by the Admiralty relating to the advantages of iron and wood in the construction of ships for Her Majesty's navy, astonishes me no little. In this statement one of the reasons given against the advantages of iron over wood is—"The extreme uncertainty as to the quality of the material used; in fact, the small quantity of real good iron of the best ship-building qualities that can be found in the market." I venture to say, on behalf of the ironmasters, that this statement is a reflection upon them which they do not deserve. It is a slur upon all the ironmasters in the kingdom. The extra demand for armour-plates came on so suddenly, it was impossible to get ready in a moment the requisite machinery and appliances to meet this extraordinary demand. The ironmasters immediately put their shoulders to the wheel, and did all they possibly could to meet the requirements of the Government; they have spared neither expense nor talent. They have spent hundreds of thousands in enlarging their works. As a proof of this, I may mention Mr. John Brown, of the Atlas Works, Sheffield. The noble Lord at the head of the Government went over these works in the autumn of last year, and he there saw many acres of ground which three years ago was a green field, covered with works employed in the manufacture of armour-plates. Mr. Brown is now increasing his works to such an extent, that in April next he will be prepared to supply 1,200 tons of armour-plates per month, that is, as many armour-plates as are required for a ship of the *Warrior* class; therefore, he will be able to supply plates for twelve *Warriors* every year. He expects to be able to roll plates up to twelve inches thick. Mr. Charles Cammell, of Sheffield, is now constructing works on a gigantic scale for the same purpose. I could name many other instances of ironmasters who are already able to supply large quantities of armour-plates. Many of these firms supply the best quality of material that can be produced. Indeed, they take a pride in supplying the very best material for our iron-clad ships, the future defence of our country. Therefore, I repeat, it is a slur upon the ironmasters of this country to say that "only a small quantity of real good iron can be found in the market." With respect to the alleged "extreme uncertainty as to the quality of the material used," I may observe there is no difficulty, by paying a fair price, in obtaining iron plates of a uniform good quality; and I am quite sure no respectable contractor or iron shipbuilder would knowingly use an inferior quality of iron, for by so doing his reputation would be irrecoverably damaged. In fact, a contractor cannot make use of inferior plates, because the plates are invariably tested before being used. In common justice to respectable contractors, the Government ought, I think, to name the defaulting parties alluded to. It would, I think, be a mere waste of money to build wooden ships and cover them with armour-plates. The iron casing would most certainly weaken the ship, hanging as a dead weight on her sides; and in rough weather the iron plating and fastenings would be liable to strain and tear the wood to pieces. It is said that the French are constructing their ships of war of wood in preference to iron; but how is it that the French are building some of their frigates entirely of iron? I was at L'Orient a few months ago, and saw a 40-gun frigate, the *Heroine*, in course of construction, and built entirely of iron, outside casing being 4½-inch armour-plates. Wooden ships, not cased with iron, have been proved to be too weak, as it is an admitted fact that in many of them the guns have had to be taken out fore and aft. There cannot, I think, be a shadow of a doubt of the immense superiority of iron ships over wooden ships.

SIR MORTON PETO said, he was happy to feel that the House approached this question without any political feeling. It was one in which both sides of the House were equally interested. He had been a Member of the House fourteen years, and the first question he heard debated was the very one they were then discussing, and he recollected perfectly well a naval Lord stating, that the question had been settled for ever by the experiment which had been recently made, whereas now it appeared that the experiment was made on an old ferry boat, whose plates were not thicker than half-a-crown. He also recollected when the Government would not have iron vessels even for the conveyance of the mails, saying, that they would not be fit for the transport of troops if they should be wanted for that service; whereas the best vessels they had then for that purpose were the iron vessels they had purchased of the mail companies, who had built them almost in defiance of the Government. He believed that they owed it to the courage of the right hon. Gentleman the Member for Droitwich that they had in the service some of the best iron ships in the world. Had he not been at the head of the Admiralty, they would, no doubt, have gone on merely following the example of other nations, till they were obliged to take action. The hon. Member for Norfolk said, the question ought to be left in the hands of the Government, and that the House of Commons, in meddling with it, was taking upon itself that which did not belong to it. But that was not the case, for they were debating the question on the invitation of the Government, the construction of the five vessels having been stopped till the matter had been discussed in the House. In his opinion, the House was entitled to lay down the principle on which they should proceed in the matter, and then leave the details to the Government. He had been greatly struck that night with the speech of the noble Lord the Secretary to the Admiralty, showing as it did the want of appreciation on the part of the Government of what their future should be. The noble Lord argued, that as the Government did not know what was required, therefore the House ought not to prescribe to them a particular course. Now, what the House wanted was, that the ships which should be built for the service of the country should be those which were best adapted for the service. They believed that iron vessels were best fitted for the service. He came now to Admiral Robinson's paper. Admiral Robinson said—

> "There are two important points involved in this consideration—First, the nature of the material. Iron possesses these advantages over wood: An iron ship can be built of larger dimensions than a wooden ship, with no loss of strength. Secondly, an iron ship has more rigidity and strength of structure as a whole than a wooden ship, though locally weak."

Now, he took exception to that statement. If an iron ship were properly constructed, with bulkheads and water-tight compartments, it would be much stronger in all parts than a wooden ship. Admiral Robinson went on to say—

> "An iron ship has much greater durability in certain parts of the structure, indeed, in all parts where no wood is in contact with the iron."

Now, in this admission lay practically the whole question. Admiral Robinson added—

> "After a lapse of years the iron frame would have suffered next to nothing as compared with a wooden ship."

Why, then, not build iron ships, and get rid of the incubus which had so long lain upon the nation, the immense expenditure on the navy. What he and those who acted with him wanted, was to get rid of the enormous expenditure in repairs of the navy. The dockyards should be made as efficient as possible, but to render them efficient, was it necessary to spend millions on millions in useless repairs? What was wanted was, that the dockyards should be conducted on the best possible commercial principles, to do all that was necessary for the country in the very best possible way, and that not a pound should be wasted that a commercial man could object to. A remarkable proof of the superiority of iron over wood was given by the *Great Eastern*, which, after having one large and eight smaller holes in her bottom, traversed the Atlantic, and did not make water to the extent of an ordinary vessel. The *Great Britain* was another instance, for he was sure that no nautical man would say that a wooden ship could have stood such a beating as that vessel did in Dundrum Bay. In order to test the question of the relative value of iron and wooden ships, he wrote to the managers of two of the largest steam packet companies. The manager of the Peninsular and Oriental Company wrote in reply—

> "We now build none but iron ships—a proof that we have found them by long experience superior in all respects to wooden ships. Some of our iron ships have come almost scathless out of difficulties, such as groundings and collisions, which would have destroyed wooden ones."

The Manager of the Royal Mail Company gave similar testimony, and among other instances cited the case of the *Victoria*, which after getting into the cleft of a rock in Balaklava Harbour, and having twenty feet of her keel wrenched away, brought home a full cargo of stores, whereas a wooden ship would have been a total loss. As to fouling, it had come to his knowledge within the last few days, and he was prepared to stake his character and reputation upon the proof of the fact, that the wooden vessels lately made by the French in their navy, which had copper bottoms, became as foul as any iron ships in her Majesty's navy. Sir Humphrey Davy thought that a line of zinc round the top of the copper would prevent the wearing of the copper, and so it did, but it destroyed the cleansing quality of the copper. In a galvanic battery copper and zinc produced galvanic action, and so would copper and iron, but the effect of iron on the top and copper on the bottom, while preventing the wearing of the copper, was to deprive the copper of its cleansing property, because the constant cleansing caused by the copper was nothing more than the wearing away of the substance of the copper itself. The French had found that out with regard to the *Gloire*, from the bottom of which, only the other day, forty tons of barnacles and accumulations had been removed. As to the greater damage from splintering when the iron plates were broken by shot, he should like to hear the opinion of the hon. and gallant Member for Wakefield (Sir John Hay), than whom there was no higher authority in the House. He believed that the effect of splintering was the same, whether from iron or wood, and that if a vessel were armour-plated to a certain depth below the water-line, the observation of Admiral Robinson on that point would apply equally to both descriptions of vessels. As to submarine guns, he was not aware that any were in existence, and he did not think the House would be influenced by any dread of what was now a philosophic toy. As to the possibility of iron-clad ships being superseded in consequence of improvements in artillery, the argument that they should therefore construct less expensive vessels amounted only to this — that they ought not to have the best thing which they knew of, because something better might be invented. He was as anxious as any man to save the money of the country; but true economy consisted in stopping short of nothing less than perfection if perfection could be obtained. With regard to the example of France, it should be remembered that wood was cheaper and iron much dearer there than in England; and that if France were in the same position as England, commanding natural advantages in the raw material, and the first engineering and mechanical science in the world, she would just do what they were endeavouring to induce the Government to accomplish. He hoped the House would not be led off the trail by the question "where the iron ships were to be constructed." He inclined to think that the dockyards should be made efficient for repairing vessels, and that the hulls should be made by private firms, in the same way as marine engines. But that was not the question. The question in issue was whether these five ships were to be built of wood or iron. With regard to the delays of the contractors, the Government was certainly somewhat to blame; because, if the designs for the vessels had been furnished complete, and in the general form in which they were to be built, with the specifications properly drawn out and all the details, there never would have been that delay. Of course, the Government could not be greatly blamed for that, but it was ungenerous and unjust in Admiral Robinson to throw that reflection on the contractors. The *Achilles*, of which the noble Lord the Secretary to the Admiralty had often spoken as a proof of what the Government dockyards could do, had practically been as long, if not longer, than some of the other vessels. At the present moment they were better able to build iron vessels in the private yards than any other nation in the world, and the best proof of that was that there were now £3,000,000 worth of iron vessels being built by their private builders for foreign nations. In the latter part of the paper Admiral Robinson referred to the comparative cost, and on that part of the subject the whole question at issue resolved itself into a sum of £135,000, as the extra cost of the five vessels if built of iron. That sum was practically a bagatelle as compared with the enormous issue at stake in the navy of the future, and it would be most unwise economy if the House were to sanction an expedient which, though involving less immediate outlay, would in the end be far the most costly, simply for the sake of saving so small a sum.

Sir JOHN HAY said, he should have been content to give a silent vote in favour of the Resolution of the hon. Member for Sunderland had he not been appealed to so frequently on matters of fact in the course of the debate. The question at issue, as he understood it, was between iron frames and wooden frames, and the best evidence of the superiority of the former seemed to be given in the paper placed before them by the Admiralty. Admiral Robinson said that iron frames were most durable, most rigid, and had the most lasting qualities. Indeed, it was almost suggested that on that account they were least desirable, because changes would be made, and therefore it was better to have ships of perishing, rather than of durable, material. He could hardly suppose, however, that the House would agree with that. Since the great extension of the railway system, nothing had more clearly shown our engineering skill than the application of the tubular principle to bridges for crossing wide rivers and valleys. There was first the iron-framing to bear the weight, then the wooden sleeper to deaden the blow of the passing train, and then the iron rail to receive the blow. That was exactly the iron-ship—the iron-framing inside of all, the wooden backing, and the armour-plate, and it seemed to him just as reasonable to substitute wooden frames for iron as it would be to take down the tubular bridges and put up wooden scaffolding in their places. He agreed with the Admiralty that at present it was desirable that the ships should be coppered, and, though in the present state of science it was difficult to apply the copper directly to the iron, that was no reason why iron ships should not be coppered. Mr. Grantham, of Liverpool, had two ships at sea, which, by an ingenious arrangement of wooden sheathing, separating the copper from the iron, were very efficiently coppered. With regard to the splintering of shot, with respect to which an hon. Member had appealed to him, there was no doubt that a cast-iron shot passing through an iron plate would splinter into a thousand pieces, which the wooden frames would not arrest, and there was a much less chance of the splinters being carried through into the ship and causing greater destruction if there were an internal skin of iron. Another advantage of an internal skin of iron—which was, in fact, the ship proper — the wooden backing and the armour-plates being placed upon it—was that there would be a much smaller risk of the ship being set on fire by the penetration of shells, as the internal skin would exclude the air. Another point which he must notice was as to the test of iron, which some hon. Members thought was too exacting, as requiring a strain of twenty-two tons per square inch. The fact was that steel would bear a strain of forty tons, and the Committee over which he presided had recommended twenty-two tons as the very *minimum* which iron should bear. He agreed with the hon. Member for Norfolk (Mr. Bentinck) that the discussion had disclosed an additional reason for considering the construction of the Board of Admiralty. Whenever a question of difficulty arose, it was referred to the House or to a Committee, and the Admiralty was shown to be incompetent to deal with it. At present no individual was responsible for anything done at the Board. It seemed rather hard upon the Controller of the Navy that a document intended for the consideration of the Board should be thrown broadcast before the House, when he was not present to explain or defend it. The noble Lord the Secretary of the Admiralty had suggested that he was in a minority of naval officers who approved of iron ships, and that he was merely the mouthpiece of the Admiralty in defending wooden ships. It appeared, that whenever the Admiralty was in a difficulty, they appealed to the example of France; but there the Minister of Marine was responsible for everything. In England no one was responsible for anything, neither the First Lord nor the distinguished naval officers who assisted him, and who each bore an infinitesimal share of responsibility. He thought that the heads of the fourteen great Departments—namely, manning, discipline, construction, public works, pay, stores, victualling, ordnance, medicine, hydrography, marines, coast-guard, naval reserve, and transport, should each come to the front, and be personally responsible for whatever happened in his office. They ought to be non-political public servants, and hold their situations either *dum bene gesserint,* or for a term of years; but there might of course be over them all a political Minister of Marine, who would go out with each change of Government.

SIR FRANCIS BARING: — Sir, I thought the question before us was that of iron ships or wooden ships, and not that of the construction of the Board of Admiralty. I shall not be tempted to follow the hon. and gallant Member (Sir John Hay) into the latter question; but, lest the House should have any misapprehension as to the opinion of the Committee which sat last year, I may say there was not a single person examined, who had been First Lord of the Admiralty, who did not say that he considered himself responsible for all that was done. As to the question really before us, I must say I do not look upon it in quite the same light as some hon. Gentlemen. If it be a question of scientific knowledge as to the best mode of building ships, I do not think I am competent to decide it. The Secretary of the Admiralty has told us that we have the opinion of the professional adviser of the Board, who is responsible for his advice, and in addition he tells us that a large majority of the officers whom he has consulted prefer wood to iron. He adds, that the professional advisers of the French Government have expressed the same opinion. We may be all wrong; but I am surprised, I confess, to hear a gallant Officer tell us that such opinions are absurd and not worthy of consideration. I admire the confidence with which he and other Gentlemen have stated their opinions; but the little weight they seem inclined to give to that of others does not increase my confidence in their judgment. Neither am I inclined to enter into the discussion between the contractors and the Controller of the Navy. I admit that there are words in that Report which I wish had not been there, and which may hurt the feelings of men who are as honourable and as intelligent as any other body of men, and as capable of doing the work they undertake. I believe there are good contractors, but I know also there are bad contractors. But at the commencement of our building iron ships it is not surprising that the Admiralty should change their plans, nor that contractors should find a difficulty in carrying them out. But the question before us seems to me to be, what the House will do with the Resolution. I am not prepared to give an opinion whether or not iron is better than wood at the present moment; much less am I prepared to say which will be the better material three years hence. When iron was first recommended for ship-building, I remember that the vessels constructed of it were supposed to be utter failures, and were so regarded by the French naval authorities as well as by the Admiralty in this country; and if the opinion of the House had then been taken, it would no doubt have been decided that no iron ships should ever be built. I only mention this to show that what may happen to-day may be quite reversed a few years afterwards. As to the statement of the Controller of the Navy, I am not sure that it is so ridiculous as hon. Gentlemen seem to suppose. The hon. Member (Sir Morton Peto) stated that these iron ships would last for fifty years. Now, if all your screw wooden ships and sailing vessels would last fifty years, I am afraid you would not find it a very economical arrangement in these times of change and improvement. But the question now is what are we going to vote. This Resolution does not say that we are to have a certain number of ships and that they are to be built of iron. The wording of it is that we are not to build ships of a particular description. Do those who are going to vote for the Resolution mean that they are prepared to vote for iron ships, or will its words cover those who wish to prevent the construction both of iron and of wooden ships? But suppose you bind yourselves to the employment of iron only. Is that wise? I should have thought that at this time, with the great improvements and changes which are taking place both in artillery and in ship-building, it would be well to leave the executive Government as free as possible, not tying their hands either one way or the other. It is not very prudent to bind yourselves at any time; but when all these changes are taking place—when you are calling upon the Government to follow the improvements of the day—is it wise to say, "There is one thing which you shall not do, and another thing which you shall do, and you shall be bound by this Resolution?" Without, therefore, expressing an opinion on the relative value of these two materials, I object strongly to bind the House of Commons and the Government. One question raised by the hon. Member (Mr. Bentinck) is worth considering—namely, who is to be responsible for the conduct of the navy—the Executive or the House of Commons? My impression is, that whatever form of Admiralty you have, they should be responsible both for the building of the navy and the whole business of the Department. I do not think it wise, unless for the strongest reasons, nor do I think it constitutional, for the House to take into its own hands the Government of the country, and to interfere with the responsibility of the Executive. At present, the First Lord is responsible. But suppose we should be wrong in the decision we now arrive at, who will be responsible then? Again, the Admiralty think that additional expense will be occasioned by adopting this Resolution. In that case it will of course be their duty to come down for an additional Vote. If they follow the decision of the House, they must ask the House to provide the money. Who becomes responsible for the expenditure? The Queen's Government do not ask for it, and are not responsible for it. They come down in obedience to the Vote of the House, and ask for money which they believe is not wanted for the service of the country. That is an extremely inconvenient course. I thought that one of the duties of the House of Commons was to check the Government in the expenditure, but the House of Commons seem to me to be going beyond their proper functions when they press the Government to increase the expenditure and to tax the country, when the Government is of opinion that no such expenditure is requisite.

Sir JOHN PAKINGTON:—Sir, the noble Lord has most fairly redeemed the pledge he gave on a former evening, that this subject should be first of all explained by a statement on the part of the Admiralty, which we have all received and read, and then that an evening should be set apart to carry on the discussion, which the importance of the subject demands. And, whatever may be the result at which the House may arrive to-night, I hope that no hon. Member will vote except under a full sense that the decision he is about to give is one of extreme importance, both as regards the future efficiency of the navy, and as regards the finances of this country, so far as they depend upon our prospective naval expenditure. I quite agree with what has been just stated by the right hon. Gentleman—namely, that of the Members of this House a great majority, and I freely confess that I am one of the number, would not venture to pronounce a decided opinion, upon their own part and from their own knowledge, as to the comparative advantages of these two modes of building. But, on the other hand, we are bound to give weight to evidence—we are bound to decide upon the weight of testimony before us; and since I have sat in this House I never heard so one-sided a debate as this. The right hon. Gentleman who has just sat down passed no opinion on the relative merits of wood and iron. The only other hon. Gentleman who has spoken otherwise than in support of the Motion, is the hon. Member for Norfolk (Mr. Bentinck), and he, too, carefully avoided the expression of any opinion upon this point. But then I entirely dissent from the notion that we are now called upon to decide any other question than the one fairly involved in the words of the Motion. It has been said, that this is a question whether you will build in Her Majesty's dockyards or in private yards. Again, the right hon. Gentleman has asked, whether the House is prepared to take out of the hands of the executive Government a matter of detail. I do not refuse to attach due importance to either of these considerations. I am not disposed to abandon Her Majesty's dockyards in order to build our ships in private yards, but I believe that he would not be a wise man who laid down for the future either course. I believe that we shall, in the management of our navy, have abundant work for Her Majesty's dockyards; and that, on the other hand, we should act most unwisely if we were to reject that assistance which we have derived, and may again derive, from the ability and the talent to be found in the private building establishments of this country. With regard to the other objection of taking out of the hands of the executive Government a matter of detail, I am not disposed to underrate its importance, but I submit to the House, that this is an objection which you may push too far. The House of Commons has an important duty to discharge, and I deny that this is a question of detail. I say it is a question of principle. It is a most important question, affecting the future welfare of the navy, and I entirely agree with the hon. Baronet (Sir Morton Peto), who said that we ought to approach the subject solely with reference to its merits, and without considering whether the Resolution comes from one party or the other, or whether it affects one Board of Admiralty or another, but that we are bound to discharge our duty, to the best of our judgment, upon the evidence before us. The right hon. Baronet has just told us that we should give weight to the opinions of the officers of the executive Government, and in particular that the opinion of the Controller of the Navy is in favour of the course taken by the Admiralty. Now, is that true? I have no means of knowing Admiral Robinson's views, except by the paper before me; but I say that this paper does not bear out the intention of the Board of Admiralty. If Admiral Robinson be in favour of the views of the Admiralty, certainly this paper does not inform us of that fact. On the contrary, I think it can readily be shown from it, that the Admiralty have made a serious mistake in the decision which has given rise to this discussion. What was the argument of the noble Lord at the head of the Government the other night? He justified the decision of the Admiralty on two grounds. He said that which has been repeated this evening by my noble Friend the Secretary of the Admiralty—namely, that the Government are desirous of, as soon as possible, completing a number of armed ships. I think that question has been raised unnecessarily. There is no man in this House who has urged the Government more than I have to lose no time in building those ships; and the feeling of the House is in favour of such a course. Then the noble Viscount said, there were two reasons for following the plan laid down by the Admiralty—the one time, the other money. I presume that when we have an official paper before us proceeding from the Controller of the Navy, we are to regard it as the production of the first authority within his own Department. What does he say on the question of time?—

> "To build the wooden ship leisurely and to the best advantage would take about as long; but if as much pressed as the contractors have been for the *Hector*, and if the workmen were entirely uninterrupted, the period might be shortened to twenty-one months.

With this statement before me, I confess it was with no little astonishment I heard my noble Friend the Secretary of the Admiralty say that the wooden ships might be built in twelve months.

Lord CLARENCE PAGET: What I said was, that after the ships were cut out, if energy were applied they could be built in twelve months.

Sir JOHN PAKINGTON: We do not want "ifs" and conditions in this matter. We want a plain and unconditional statement. I beg the House to bear in mind that we have got a plain statement that the building of an iron ship is solely a question of time. The building of a wooden ship is not a question of time. Nothing is so dangerous as hurrying a wooden ship. What danger proceeds from hurrying it? Rapid decay. When my noble Friend committed himself, as I think most incautiously, about the twelve months, if we took him at his word he would find himself very much in the position of the contractors referred to in this paper, who could not finish the work in time, and who, if they could, would do a very foolish thing if they did finish it, because they would build a ship which would decay. Assuming I am right in my view, that the Controller of the Navy is the first authority on this matter of time, I say the noble Viscount's argument founded on time is gone, and a wooden ship has no advantage in point of time over an iron one. Then what becomes of his next argument, that there is an advantage in money? I hope the House of Commons will agree with me that the weakest and worst view we could take of the question is, that it is one of money. Do not build the cheapest vessel if it is not the best. Whatever money you are going to expend let it be for the best article, and let the country have the advantage of it. In the body of the paper I find a statement of the comparative cost of the *Valiant*, as compared with that of a wooden ship. The former is stated at £206,000, and the latter at £187,000, which shows a saving of about £19,000 in favour of the wooden ship, in favour of the worst of two things, for the House must remember that. But I must observe, that on looking at the schedule attached to this statement, I find that though the *Hector* and the *Valiant* are ships of precisely the same tonnage (4,063 tons), with the same number of guns (32), and the same horse power (800), the cost of the former is £172,677, while that of the latter is £206,000 or rather £207,212. Why is the most costly iron ship selected for comparison with the wooden one in the body of the paper? If the least costly iron ship had been selected, the advantage of money as well as that of time would be in favour of the iron vessel. The noble Lord, then, has given us two reasons in favour of iron and both are equally unsound. I now come to the question, what is the authority upon which we are to act? I do not ask hon. Members to act upon their own judgment in matters of this kind, but I must say I have great confidence in the opinion of the Controller of the Navy, and on the question of durability, we have this statement of the Controller—

> "An iron ship has much greater durability in certain parts of the structure, indeed in all parts where no wood is in contact with the iron, than a wooden ship; and after a lapse of years the iron frame would have suffered next to nothing as compared with a wooden ship."

I appeal to the common sense of hon. Members whether this paragraph is not conclusive against the wooden ships. As to the splinter argument, I think the hon. and gallant Member for Wakefield has disposed of it. Next comes the objection founded on an iron ship getting upon a rock. My first answer to it is, that Her Majesty's ships had much better keep off rocks; but if she gets on a rock, is there no danger to a wooden ship? I speak in the presence of naval men when I say I believe the danger is much greater to a wooden ship in such a case. I am reminded of the unhappy case of the *Conqueror*, which is an illustration of what I say. She was a wooden ship. The bottom of a wooden ship is no doubt stronger than that of an iron ship, but then the wooden ship has not the advantage of water-tight compartments, but I think no great weight can be attached to the rock argument. The noble Lord the Secretary of the Admiralty has reminded us that we are in a transition state, and that we cannot tell what inventions we may have within two years. That is true, but it is equally applicable to one side of the question as well as to the other. You are going to lay down five men-of-war, and before you lay them down you must decide what they are to be. The only remaining argument I think it necessary to touch, is that founded on the alleged success of the French armour-covered wooden ships. I confess I read that portion of the Controller's statement with surprise; because it does not agree with what I have heard generally stated in private conversations. I have heard again and again that the celebrated ship *La Gloire*, which as yet has only been backwards and forwards between Toulon and Algiers, was so strained while cruising in the Mediterranean, in consequence of the weight of her armour on a wooden structure, as to make it a grave question with the French whether they should not give up wood and take to iron. My impression with regard to the *Normandie*, the *Magenta*, and *Solferino* is that they have not yet had a fair trial. I believe that none of them have had a trial which could be compared with that which the *Warrior* had a year ago in the Bay of Biscay, where never a ship of war went through a severer test, nor came into harbour in a better condition after such a trial. But wooden ships, in consequence of the enormous weight of their engines, which the House will remember must be irrespective of the weight of armour-plating, are obliged to go into dock to be repaired after they have been exposed to heavy weather. I cannot sit down without referring for a moment to that portion of the Parliamentary paper on this subject which throws a most harsh, and, as I think, a most unjust stigma on the shipbuilders of this country, many of whom have made contracts for building ships for the Royal Navy. I cannot understand how the Board of Admiralty can have allowed themselves to place upon the table of this House a reflection upon men of high character and standing so severe and so utterly unmerited as I believe this to be. No exceptions are made. The hon. Member for Birkenhead (Mr. Laird) has alluded to this subject in most just terms, and what must be the feelings of those able and accomplished men his sons, who are an ornament to their profession, when they find themselves included in the category of shipbuilders who are guilty of slovenly work and of using dishonest materials? What must be the feelings of that venerable and accomplished man, Mr. Napier, of Glasgow, whom I feel proud to call my friend, when he finds himself accused also of slovenly work and dishonest materials? Another house in this town, the Thames Iron Company, constructed the *Warrior*; Mr. Napier, of Glasgow, built the *Black Prince*, and what right has any Department to come down to this House, and, in order to bolster up a bad case, to stigmatize in this manner men of the highest possible character and standing? I very deeply regret the course which has been taken in this matter, and I know of nothing to justify it. In dealing with private firms you may be liable to treatment to which exception may justly be taken. But to stigmatize a whole class, and that class embracing some of the most accomplished men in the country, is a matter which I think the Board of Admiralty will regret, and which I have read with pain and sorrow. Sir, I will not detain the House, for this question lies in a narrow compass. I, for one, do not desire to take any course which would involve any undue interference with the Executive; but we have to decide to-night a matter of grave importance to the country; and if the hon. Member for Sunderland presses his Motion to a division, undoubtedly I shall find it my duty to vote with him.

VISCOUNT PALMERSTON: Sir, I concur with the right hon. Gentleman who has just sat down on two points—namely, first, that this is a most important question, and next, that the House ought to confine itself to the words of the Motion of my hon. Friend. Therefore, I abstain from entering into that field which was opened to our view by other Members —namely, an intimation that my hon. Friend ought to have included in his Motion the reconstruction of the Board of Admiralty. Whether that meant that the Board of Admiralty ought, like our ships, in his opinion, to be constructed by contract, and made of iron, I will not inquire. I believe that my hon. Friend, on the other hand, instead of wishing that the Board should be made of more hard and more stern material, would rather wish them made softer and more plastic, and more liable to be moulded according to his opinion. But the right hon. Gentleman said that the debate hitherto has been one-sided. Well, in some degree I concur in that opinion, because I think that many of those who have spoken have taken a very one-sided view of the question. It is very natural that Gentlemen who by their daily experience know the advantages and facilities which the contractors have, and who also are in the habit of moulding iron to their will, should think that everything ought to be made of iron. It is the old story — that everything should be of leather. They say that iron is the only material. Well, but I think the whole of this discussion has turned on a misconception as to what has been and what is intended to be the course of the Admiralty. Any one who had come into this House and had heard this debate without knowing what the Admiralty has done would have imagined, that whereas the Admiralty has pertinaciously persisted in building nothing but wooden ships, and whereas it has been shown in this House by recent experience that iron is the preferable material, this House has a right to interpose and arrest the Admiralty in its vicious course, and to tell it to build no more wooden ships, but to have recourse to iron. But what is the fact? Is it true that the Admiralty have set their faces against building iron ships, that they have set their faces against building ships by contract, and that they have done nothing but build wooden ships, and in Government dockyards? Why, quite the contrary. Out of twenty-one iron-clad ships that are built and building eleven are of iron entirely, of which ten were built by contractors. Therefore, I say there is no ground for assuming that the Admiralty are indisposed either to build iron ships or to build those iron ships by means of private trade and contract. The *Achilles* is the only one of those iron ships built in a Government dockyard. The question then is, we having eleven iron ships actually afloat, and five more of wood cased with iron that are constructing, making sixteen in all, the French—for it is no use disguising the state of the matter—having built, or being now engaged in building twenty-seven, whether the Admiralty are right or wrong in proposing to add five to the sixteen that are now building, and thus giving us within one, and only one, of the number the French now have. [Lord CLARENCE PAGET: The French will have thirty-one.] We do not wish to overstate the question. Now, Sir, a great deal has been said with regard to the relative merits of wooden and iron ships; and I think that whereas some hon. Members take exception to the statement of my noble Friend, that if the Admiralty were to-morrow to issue a contract for an iron ship, they would be at a loss to know what particular thing they desired to have, I agree with my noble Friend, and think, that if this House, according to the debate this evening, were to order these five ships to be made entirely of iron, the person to whom the order would be given would be very much at a loss to know what sort of ship it was intended he should make; for a great variety of opinions have been stated by hon. Members who have spoken as to what is the best kind of ship. My hon. Friend the Member for Finsbury (Sir Morton Peto) says that only yesterday he obtained information tending to show that wooden ships cased with iron and sheathed with copper are not likely to answer the purpose. Another hon. Member thinks that iron is likely to be superseded by steel. Another hon. Gentleman has said that different methods are every day invented for the preparation of iron. So that really, if you had to order an iron ship, it would be very difficult to determine what sort of a ship would be best for the purpose two years hence. Now, there is one objection that no one denies as applied to iron ships, and that is the fouling of the bottom. My noble Friend has stated, on the authority of Captain Cochrane, that the *Warrior* loses a knot every six weeks she is afloat by fouling. Now, those Gentlemen who have taken that which the right hon. Baronet calls a one-sided view of the question, and who are all for iron, have founded their argument very much on the analogy between packet and merchant ships and men-of-war, totally forgetting the immense difference between packet ships and mercantile ships, and ships intended for the purposes of war. If a merchantman that goes from London to China, to the West Indies, or to the Cape of Good Hope, gets her bottom fouled, and loses a portion of her speed, and, what is a material thing, some part of the power of steerage, what is the consequence? A delay in her voyage. She may arrive some days or weeks later than she ought to do. The steerage being merely to keep her in a straight course, it does not very much matter, except she is taken in a storm or finds herself in any difficulty, whether she steers less well or perfectly. But in regard to ships of war, speed and steerage, may be of the utmost possible consequence —in an action everything may depend upon them. A battle may be lost from some defect in them, and no man can tell the disastrous results to a country of the loss of a naval engagement. Now, it is perfectly clear that iron ships require repeated cleansing of their bottoms from incrustations and marine growths; and as a great part of the service of the navy is performed in distant places, where your ships are required to remain for two or three years without coming home, an iron ship is not fit, in the present condition of things, for such a service. You could not, in the present condition of things, send the *Warrior*, or a ship of the same kind, to a distant foreign station, for they would have to go into dock, and when their services were wanted they would be getting their bottoms cleansed from the incrustations. But would your wooden ships be less effective as men-of-war than the ships of the nations which they might have to encounter? All the French iron-clads, except one, the *Couronne*, are built of wood. It is said that *La Gloire* has been strained. I believe that is a mistake. As far as we know, *La Gloire* has not been strained, and is in perfect condition. Hon. Gentlemen seem to imagine that a wooden ship coated with iron is the same as a wooden ship not so coated. A ship coated with iron is strengthened in every possible way. She has an iron deck, iron beams, and she is strengthened internally with iron which renders her stronger and stiffer than a wooden ship usually is. Therefore, when the right hon. Baronet says a wooden ship must be strained by the weight of her armour plates, that is perfectly true, but that does not apply to a wooden ship prepared to receive iron armour, because that ship is strengthened in a different manner. My noble Friend has stated that a great number of naval officers say they should very much prefer having the command of a wooden ship armour-plated rather than of an iron ship plated in the same way. Opinions are very much divided upon the matter. Well, then, that being so, what do the Admiralty intend to do? Why, in the course of this summer there will be a mode of testing by experiment the qualities of the *Royal Oak*, a ship built of wood, but strengthened with iron, as compared with those of the *Hector*, a ship of the same size, but built entirely of iron, and the result of that experiment will instruct the Admiralty as to the course to be pursued with respect to the number of ships necessary to be built. But my hon. Friend, instead of leaving to the Admiralty to determine, as is their proper function, what is best for the public service, calls upon the House to rush in by a hasty decision, bind up the hands of the Government, and take from them that responsibility which belongs exclusively to them. This House, by deciding upon a question of ship-building, will assume to itself a function which, with all due deference, I contend it is incompetent to perform; and if the result were to be that by yielding to the wishes of the House the Government were turned away from that course which they are disposed to pursue, and if the time should come when we were without the number and class of ships which we ought to have, in order to be on an equality with other Powers, it would be all very well for the Government to say, "The House of Commons are answerable." The House would reply, "You ought not to have submitted to a wrong decision of the House; you are answerable, and we shall wreak upon you that resentment which the nation ought properly to feel against an Executive that has not done its duty." Well, then, I do entreat the House not to consent to a course which I quite agree with the hon. Member for Norfolk (Mr. Bentinck) would be most unwise. There are certain functions which belong to a deliberative assembly, and others which belong to an Executive; and although a deliberative assembly may usurp the function of an Executive, it acts unwisely in doing so. The responsibility ought to rest upon the Executive, and the House ought to judge, by the acts of the Government, whether they have properly or improperly performed their duty. All that we want is that our hands should be left untied, in order that we may build the best navy which, from time to time, may be possible. The experience of every month may lead to a considerable modification of preconceived notions, but errors hastily committed cannot be hastily repaired. When an hon. Gentleman remarked that iron ships would last thirty or forty years my hon. Friend behind me said, "Well, Heaven forbid! because long before that we may find them superseded by other inventions better adapted to the service." Even now we have several kinds of iron-clad ships proposed—the broadsided, the turreted, the square-towered, and what are called sinking ships—that is, ships which are to be filled with water so as to expose very little surface to the fire of an enemy; but the question of the rival merits of all these is to be solved by experiment. Only one thing is well ascertained—namely, that in power of resistance a ship with iron plating and a thick wooden side behind the iron is equal to the *Warrior*. Therefore, whether wooden ships plated with iron are to be regarded simply as ships for sea-going purposes or for purposes of action, they are capable, on the one hand, of maintaining their position in any part of the world just as much as any other wooden ship is, and, on the other hand, they are as well able to resist shot as an iron ship would be. Therefore, when the right hon. Baronet says that the papers on the table show that we would gain neither in time nor in money by building wooden iron-plated ships, I must beg to differ from him; because if the preparations which may be made in the dockyards with very little expense be carried out, a wooden iron-plated ship can be put together in a twelvemonth, whereas an iron ship would take two years and a half. No doubt the difference of expense is not very material, but it is something, and I did not expect that from that quarter of the House (below the gangway, on the Ministerial side) we should have urged upon us an arrangement which, not only in point of time, but also of money, would involve a greater expenditure. Therefore, I do hope and trust the House will leave to the Government that proper discretion which belongs to them in regard to the defence of the country; that it will not prescribe any one particular course; but that as the Government is responsible to the House for the conduct of its departmental arrangements, it will leave them free to act upon the best information which they can obtain as to which class of vessels may be best suited to the wants of the country.

Mr. HENLEY said, the noble Lord had placed the question in a somewhat different position from what it occupied before. He said, "Leave the Government to do whichever of two things they think best." But that was not the issue before the House. The matter had been suffered to lie over for consideration from the Naval Estimates. Was it fair, then, for the noble Lord to place the House in its present position? The Government made a definite statement at the time the Naval Estimates were before the House, and they agreed that the consideration of that statement was to stand over. They placed printed evidence upon the table to sustain their statement, and now did they take their stand upon that issue? No such thing; for the noble Lord said, "Leave the Government to do whichever of two things they think best." The noble Lord stated that the French were beforehand with us, that we could not stand still, that we must have five ships, and still we should be behind. The noble Lord the Secretary to the Admiralty said, "We must progress." How were they to progress? The noble Lord the Secretary to the Admiralty said, that it was all matter of experiment whether there should be broadside ships, turret ships, or other ships, and that it would not be right to keep behind the French while these experiments were being made. The paper presented to the House stated that iron ships and wooden ships took equal time in building; and the noble Lord said, that if wooden ships were put up in frame, it would only take twelve months to finish them. But how long would it take to put them up in frame? and were the frames to be put up so as to answer for this purpose or for that, and then to be pulled to pieces? for the Admiralty had acted in such a way before. He thought that the Government had no right to bring such a question before the House; but as that had been done, and as documentary evidence had been placed on the table, the House could not help considering it. The paper on the table of the House afforded a strong illustration of the wisdom of the saying, attributed to a distinguished Judge, "Give your judgment, but do not give your reasons." The paper from beginning to end was a distinct contradiction of the very conclusion which the person who wrote it had drawn. With regard to the question of expense, he was of opinion that that expense was the least which procured the best and most durable article. It was evident that the noble Lord at the head of the Government was in favour of iron rather than wooden ships, and the reasons in the paper drawn up by the Controller of the Navy led to the same conclusion; but the Controller ended by saying that, as iron ships could not be built in the dockyards, it would be better for the present to have wooden ships, which were worse articles. With great difficulty he had came to the conclusion to vote in favour of the Resolution moved by the hon. Member; and he could not have done so until he had read the paper of the Controller of the Navy and heard the speech of the Secretary to the Admiralty. The noble Lord the Secretary to the Admiralty said, that the Controller of the Navy never intended to throw any reflection on the contractors for iron ships; but if the paper signed by the Controller was meant to be a friendly salute, he must say, "God bless the contractors if ever that gallant Admiral fired a broadside upon them." What faith could the House put in any part of that document when the Secretary to the

Admiralty came down and explained away a portion of it? If the writer did not intend to say what he had said, the statement was not worth the paper on which it was written. He regretted that such a paper should have been put forth, and agreed with the right hon. Member for Droitwich in thinking that no public man had a right to cast those reflections on any set of individuals. He was sorry that the question had come before the House in the shape it had. It was not right for the Government to hold over a question of this sort; then put reasons before the House for what they were doing, and finally tell the House, as the noble Lord had done, not to tie the hands of the Government, but leave them at liberty to do anything else but what they had proposed to do.

MR. E. P. BOUVERIE said, he thought it would be most unwise for the House to take on itself to decide a scientific question, and say that iron ships for warlike purposes were preferable to wooden, especially when they had been told that a preponderance of naval authority was in favour of armour-clad wooden ships. They were told by the Controller of the Navy, and the noble Lord the Secretary to the Admiralty, that at present there existed no available means for building an iron armour-clad navy in the dockyards, and that for such a fleet the country must have recourse to private yards. It was not his intention to question the integrity of the owners of private yards, for he was acquainted with some of them, and he knew that nothing could be higher than the character they bore; but he asked whether the House was prepared to hand over the building of the most important portion of our navy to private yards? Were all the ships, on which the safety of the country must depend, to be built by contract in private yards? Experience taught them to take the very opposite course. At the time of the Crimean war the country was dependent for small arms on private contractors, but experience soon showed that it was necessary for the Government to create an establishment of their own for the manufacture of those arms, for the purpose of control in dealing with the contractors for a portion of the supply. He conceived that it would be a most unwise and imprudent course to hand over the whole of the ship-building of the most important branch of the navy to contractors, at whose mercy the country would then entirely be, should circumstances of the greatest pressure arise.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 154; Noes 81: Majority 73.

Main Question put, and *agreed to.*

SUPPLY.

Supply—*considered* in Committee.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

INCLOSURE BILL.

On Motion of *Mr. Bruce*, Bill to authorise the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. BRUCE and Sir GEORGE GREY.

Bill *presented*, and read 1°. [Bill 58.]

TRUSTEES (SCOTLAND) ACT AMENDMENT BILL.

On Motion of *The Lord Advocate*, Bill to explain the Act for the amendment of the Law relative to Gratuitous Trustees in Scotland, *ordered* to be brought in by The LORD ADVOCATE and Sir WILLIAM DUNBAR.

House adjourned at a quarter after Eleven o'clock.

HOUSE OF LORDS,

Friday, March 1, 1863.

MINUTES.]—PUBLIC BILLS—*First Reading*—Salmon Exportation (*Commons*) (No. 39).
Second Reading—Births and Deaths Registration (Ireland) (No. 30); Malt Duty (No. 38).
Committee—Drainage of Land (Ireland) (No. 33).

SALMON EXPORTATION BILL.

Brought from the Commons, and read 1ª (The *Lord Stanley of Alderley*). (No. 39).

BIRTHS AND DEATHS REGISTRATION (IRELAND) BILL—(No. 30.)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF ST. GERMANS said, he rose to move the second reading of this Bill, which proposed to establish a system of registration for Ireland similar to that established for England in 1836 and for Scotland in 1854. The Bill differed, however, in one important particular from both these Acts, inasmuch as it made no provision for a registration of marriages. The Roman Catholic priests in Ireland were forbidden by law to celebrate mixed marriages; and they were so averse to any measure for the registration of marriages that legislation to that end had been found to be impracticable. He hoped, however, that the time was not far distant when the marriage law of the three countries would be revised, amended, and consolidated, and then the difficulty would probably be overcome. It was proposed that the medical officers of the Poor Law unions should be the registrars, with power, in case of their refusal to act, for the guardians to make appointments of other properly qualified persons. The Bill passed with very little opposition in the House of Commons, and he trusted that it would receive the sanction of their Lordships.

Moved, That the Bill be now read 2^a.

THE MARQUESS OF **CLANRICARDE** said, he would not oppose the second reading, though he considered that some better provision was required to meet the event of the refusal of the medical men to undertake the duties of registrars. With regard to the marriage law of Ireland, he thought that it required amendment, and trusted that it would have the serious attention of the Government. As to the registration, the Government, whilst it acted with judgment, must act with firmness and with a desire to consider the views of all sects.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

ECCLESIASTICAL PATRONAGE OF THE LORD CHANCELLOR.

THE EARL OF **SHAFTESBURY** having appealed to the Lord Chancellor to postpone his notice respecting the Ecclesiastical Patronage of the Lord Chancellor,

THE **LORD CHANCELLOR** said, that in the absence of several noble Lords and right rev. Prelates, for whose opinions he entertained the highest respect, he had no hesitation in acceding to the request of the noble Earl. He must express a hope that when the measure, of which he had given notice, was introduced, it would be pressed forward in that House with as much rapidity as was consistent with the gravity of the subject, in order that it might go down to the other House before the Session was too far advanced.

The Earl of St. Germans

He should call attention to the subject on Tuesday next, and in the mean time the Bill would be printed and placed in the hands of their Lordships.

House adjourned at a quarter before
Six o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 13, 1863.

MINUTES.] — SUPPLY—Army Estimates — *considered* in Committee.

PUBLIC BILLS — *First Reading*— Consolidated Fund (£10,000,000); Borough Residence Uniform Measurement [Bill 60]; Trustees Act Amendment (Scotland) [Bill 59].

Committee—Post Office Savings Banks *re-committed* in respect of Clause 1; *considered*, and *reported.*

Third Reading—Bleaching and Dyeing Works Act Amendment, and *passed.*

Bill withrawn — Borough Residence Measurement [Bill 49].

CAPE GERMAN SETTLERS.—QUESTION.

SIR **HENRY WILLOUGHBY** said, he rose to ask the Secretary to the Treasury, If the two Letters dated 18th December, 1861, from Sir Benjamin Hawes to the Lords of the Treasury, and the Answer of the Lords of the Treasury, dated March 10th 1862, are the whole Correspondence, according to the Order of the House for a "Copy of the Correspondence between the War Office, the Treasury, and the Governor of the Cape of Good Hope, relating to any payment made to the Cape German Settlers during the financial year 1860-1;" and, if the whole Correspondence has not been given, whether there is any objection to place it upon the table of the House.

SIR **GEORGE LEWIS** said, that all the material correspondence had already been given, but there was one other letter which could be produced without any inconvenience, but he did not think it was material. He had, however, no objection to lay that letter on the table.

SIR **HENRY WILLOUGHBY** said, he wished to know, whether that letter will make up the whole correspondence?

SIR **GEORGE LEWIS** said, all the material correspondence. There was a correspondence on the general subject as to German Settlers at the Cape, but it did not refer to this particular point.

SIR **LAWRENCE PALK** said, he wished to know if the right hon. Baronet will have any objection to lay the whole correspondence before the House?

Sir GEORGE LEWIS said, the correspondence took place under the administration of the Earl of Derby. He had not examined it in detail, but he understood that a difference of opinion existed between the War Office and the Treasury as to the payment of the expenses. A good deal was said last Session as to the production of a correspondence which would, if produced, show a difference of opinion between the Treasury and the Admiralty. The correspondence in question would also show a difference of opinion between two Departments of the Government; and under those circumstances, unless the House pressed for it, he should object to lay it on the table.

CLAIMS UPON OUDE.—QUESTION.

Colonel FRENCH said, he would beg to ask the Secretary of State for India, Whether the opinions of the Law Officers of the Crown have been obtained by him upon the claims of the representative of the late Captain R. Frith, or of any other of the claimants upon the late State of Oude; and, if so, whether he has any objection that Copies of such opinions be laid upon the table of the House?

Sir CHARLES WOOD, in reply, said, his hon. Friend must be aware that it was contrary to all practice to lay upon the table the opinions of the Law Officers upon any point upon which they had been consulted by the Government. He could say, however, that the decision which he had arrived at and the steps which he had taken, as he had already announced to the House, were in conformity with the opinions of the Law Officers of the Crown.

FUSTIAN-CUTTING OPERATIVES.
QUESTION.

Colonel WILSON PATTEN said, he wished to ask the Secretary of State for the Home Department, Whether any official inquiry has been made into the present state of the Operatives of Lancashire and Cheshire employed in the business of Fustian Cutting; and, if so, whether it is his intention to lay the Report of the inquiry upon the table of the House?

Sir GEORGE GREY said, the only official inquiry which had been made was one instituted by the Assistant Commissioner, who was employed by the Commission which was appointed some time ago to inquire into the employment of women and children in manufactures not regulated by law. The Assistant Commissioner had made his inquiry, but no Report had as yet been presented to the Government. He understood, however, that it would be presented in a short time.

DELHI PRIZE MONEY.—QUESTION.

Mr. M'EVOY said, he would beg to ask the Secretary of State for India, Why the second instalment of the Delhi Prize Money has not been paid to the troops engaged in that service, and when they may expect payment?

Sir CHARLES WOOD said, in reply, that this matter had caused a great deal of anxiety to the Indian Government; and in order to meet the wishes and natural expectations of claimants, a distribution to a considerable amount was ordered as early as it was possible to make it. It was perfectly well known, however, at the time, that certain claims had not been presented, and might afterwards be made, and therefore a certain percentage of the prize money was kept back to meet those contingencies. Many claims had since been preferred, but were not decided, and a second distribution could not be made until the authorities were satisfied that the whole of the claims had been sent in. It was impossible for him to say either that there would be a further distribution to those who had already received a portion, or when any distribution might take place.

Mr. M'EVOY said, he wished to ask if the right hon. Baronet could say how long he intends waiting for the further claims.

Sir CHARLES WOOD said, that it was impossible for him to fix any time. He could not say whether there would be any funds for a second distribution after the additional claims had been met. He wished to guard himself against holding out any expectation that it was certain there would be any further distribution.

THE ARMSTRONG AND WHITWORTH GUNS.—QUESTION.

Sir JAMES FERGUSSON said, he wished to ask the Secretary of State for War, Whether, before the Committee which he stated on Monday last had been appointed to consider the respective merits of the Armstrong and Whitworth Guns, the latter are to be tried against the Service, Field, and Garrison Guns of Sir William Armstrong's pattern, or against others of an altered construction?

Sir GEORGE LEWIS, in reply, said, that no restrictions had been placed either upon Sir William Armstrong or Mr. Whitworth with respect to the guns to be employed in the experiments.

DISEASE IN ROTHERHAM.—QUESTION.

Mr. CHILDERS said, much alarm had been excited in the neighbouring towns in consequence of the malignant species of fever which had broken out at Rotherham. He wished, therefore, to ask the Secretary of State for the Home Department, Whether his attention has been directed to the alarming extent of mortality and disease in the town of Rotherham, arising from the state of the drainage and the imperfect supply of water; and whether Government will take measures to enforce a remedy thereof?

Sir GEORGE GREY, in reply, said, the attention of the Privy Council was called last year to the sanitary state of Rotherham, and the great mortality which prevailed there; and that Department of the Privy Council which was invested by law with the power of making sanitary inquiries sent down two inspectors to investigate the matter. The inspectors had made a Report, and his hon. Friend might have it by moving for it. The cause of the disease had been traced to the bad quality of the water in the place; but he was informed that the Local Board had a Bill before Parliament at the present time with a view to procure a supply of better water.

OFFICERS OF THE COURT OF PROBATE.
QUESTION.

Mr. HENNESSY said, he would beg to ask the Secretary to the Treasury, Whether it is his intention to extend the usual Civil Service system of Superannuation and Classification to the Officers and Clerks of the Principal Registry of the Court of Probate; and, if so, when the necessary arrangements will be completed?

Mr. PEEL said, in reply, that the duties of the Clerks of the Court of Probate were somewhat peculiar. However, it had been thought better to appoint Clerks with specified duties on fixed salaries. He was not aware that the Treasury would have any objection to their classification. With respect to superannuation, he believed it was settled by the Civil Service Commissioners and the Judges of the Court of Probate that the Clerks should be examined, and upon passing the examination that they should receive their Civil Service Certificates. Then, upon complying with the other conditions of superannuation, they were to be entitled to a pension in the usual manner.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE METROPOLITAN AND CITY POLICE.—OBSERVATIONS.

Sir DE LACY EVANS rose to bring under the consideration of the House the question of the expediency of amalgamating the Metropolitan and City Police, and he would ask the right hon. Gentleman the Home Secretary, whether, after what had occurred in connection with the Procession on Saturday last, some steps ought not to be taken to place the aggregate body under one control, so as to have one police force for the whole Metropolis? In order to prove the necessity for that measure, it would be requisite to show that one of the two corps was comparatively inefficient. He knew that Gentlemen connected with the City authorities maintained that the superiority of the City force was quite decided; and if that were made out, of course no case for extending the organization of the Metropolitan Police to the City could be established. It was generally admitted that the Procession on Saturday last was very much interrupted in the City, and that there was a state of things such as to give cause for alarm to the Prince and Princess in some portion of their route. It was said, indeed, that some persons among the crowd had climbed into the Royal carriages. It would have been a very sad affair if anything of a disastrous nature had happened to the illustrious pair on that occasion. The Corporation, according to their generous habit, had, it appeared from the public press, a *déjeûner à la fourchette* at the Mansion House on the occasion, and it was alleged that this circumstance had the effect of interfering with the proceedings. He could not say how that might be, but during the time when the Procession was passing through the City great inconvenience was occasioned to the public. There had appeared in the newspapers a controversy between an officer of the City Police and an officer of the City Volunteers, each casting blame on the other; but of course it was far beyond his power to say which was right or which was wrong; he, however, concurred with the noble Lord near him (Lord Elcho) that the Volunteers were not a body well adapted to be employed on such occasions. Then came the deplorable events which happened on the illumination night, when a vast concourse of people was assembled in the streets. In a report from the Metropolitan Police it was stated, that in the area under their supervision not one life had been lost, nor had any accident of a serious character occurred on either occasion to which he had just alluded; while, on the other hand, there was little or no doubt that as many as eight lives had been lost in the City on the night of the illuminations, and that some serious accidents had taken place besides. Under these circumstances, the case looked rather unfavourable for the City Police. His object was to induce the Government to make inquiries as to which of the two bodies of police was the more efficient, and then to effect an amalgamation of the two forces. He had no doubt, and, he believed, the public had no doubt, which was the more efficient body of the two, and therefore he thought that the Metropolitan Police should be extended to the City. No doubt the City had privileges, which were entitled to all due respect; but, if it were contended that the City had, at least, the same right as provincial municipalities to the regulation of their own police, he asked whether any provincial town could be compared with the metropolis, which contained an immense population, and received a vast increase to it every year? He, consequently, put it to the Government to consider the question of the expediency of amalgamating the Metropolitan and City of London Police Establishments.

THE LORD MAYOR (Mr. Alderman ROSE) said, that the subject brought under the notice of the House involved a much larger question than the fusion of these two civil forces—a question which had already been much under the attention of the public. There were a number of noticeable coincidences connected with the matter alluded to by the hon. and gallant General. In the first place, the Commissioner of Police of the City of London unfortunately died a week before this great procession took place, and before the arrangements were completely organized. In the next place, the whole of the pressure of this extraordinary loyal demonstration was thrown on the City Police, and on them only, within the boundaries of the City. Another very extraordinary coincidence was that, during the progress of the procession through the City, another procession of large unwieldy vans containing Metropolitan Police was thrown into the City in an opposite direction. This caused a great obstruction, which some hon. Members now present experienced, having been detained through it for the duration of about an hour. It seemed to him a very odd coincidence that all these events should have happened at this particular conjuncture, and that the culminating point should be that the City of London ought to be deprived of the regulation of its Police. He had some experience of the City Police; and as he had attended at the Central Criminal Court as one of Her Majesty's Commissioners, he also knew that the expressed opinion of the Judges with regard to the intelligence, activity, and reliability of the City Police, as compared with the Metropolitan Police, was very much to the advantage of the former. With regard to what occurred on Saturday last, the newspapers had said that the City authorities refused the assistance of the troops and of the Metropolitan Police. That was not true. The noble Lord who had just come into the House (Lord Alfred Paget) conveyed to him an intimation that a number of troops would be placed at the disposal of the City authorities; and they understood, in the first instance, that those troops were to be Life Guards, who were used to deal with large concourses of people, and had temper and discretion, and whose majestic appearance in a crowd had the effect of awing the masses and keeping people in their places; in addition to which the horses of the Life Guards were used to that sort of work, and had acquired, by long practice, habits of forbearance like the riders. Instead of the Life Guards, however, 200 Horse Artillery were sent to the City; their horses were not so well suited for the purpose, and were besides caparisoned in such a manner as induced people in a crowd to lay hold of the trappings. Still, so far from refusing the offer when it was made, he said that he should like not only 200, but 400 if they could be spared. Allusion had been made to the City Volunteers, and he might explain that most emphatic instructions were given that no Volunteer should be employed in any shape as keeping the crowd back. In every case they were to form up against the barriers merely as an object and spectacle. They were to be placed as objects of attraction, but not to interfere in any way with police duties; and the order was that, in all instances, they should give way to the crowd. His own regiment, instead of being at their post at one o'clock, as they should have been, were forming in the very place where a portion of the City procession was being arranged. They were ordered off the ground, but they did not go; and when they ought to have gone to the space allotted to them in front of the Mansion House, by a direct route of less than 450 yards, they took a route of somewhere about 2,825 yards. The consequence was that an immense confusion was created by a body of 700 or 800 men travelling a circuitous route instead of a direct one, and like the vans laden with Metropolitan Police, facing the possession. The Volunteers, not being at their post by the proper time, created a great amount of confusion, and instead of backing up against the barriers, were themselves lost in the crowd. Was it, then, a fair way of treating the City authorities to cast all kinds of imputations upon them? He repeated they did not refuse the assistance of the military, or the aid of the Metropolitan Police, for the latter was not offered to them. There were circumstances, however, in the whole affair which induced the magistrates of the City to think that there should be an inquiry. That inquiry was being vigorously pursued, and he hoped the result of it would be to show that the causes to which he had referred were sufficient to account for the difficulties that had arisen. Allusions had been made to the night of the illuminations. It had been said that the arrangements made by the City Police for the illumination night were not so complete as they should have been, and that many people who went in carriages, had the advantage of staying many hours and going home without having seen the illuminations. Now, so far as the City was concerned, he felt all along that the Mansion House was the point of danger. It was no doubt a point of danger, because the illuminations there would be sure to attract a large concourse of people, and the thoroughfare was rather narrow. But having himself been at the Mansion House, he could say from personal observation that there was a constant movement in the line of carriages during the whole night. There was, of course, a tremendous pressure; but if people would go in such immense masses into places which were not large enough to contain them, it did not require great philosophy to say what the result would be. Two men could not stand in the place of one, and that was the problem to be solved on Tuesday night. It was very deplorable that fatal accidents should have occurred, but no possible precaution could have prevented them. Had barriers been erected, he believed the loss of live would have been greater. Under all the circumstances, he appealed to the House whether it would sanction an attempt to interfere with a local police. Unless the principle of a local force was recognised, there was no reason in the world why Sir Richard Mayne should not be the Commissioner of Police for Liverpool, Manchester, or anywhere else, as well as the City of London; and the English police system assimilated to that of France. He thought, however, that the House would hardly be prepared to sanction such a principle.

LORD ALFRED PAGET: Sir, as I had the honour of accompanying the carriage of the Princess Alexandra through the City, perhaps I may be allowed to say a few words. First of all, I must bear witness to the perfect good humour and excellent behaviour of the people on the day of the procession. I cannot conceive a more trying situation than being in a vast crowd with a great pressure from behind and on every side, and seeing outriders, equerries, and cavalry advancing to crush one's toes; but I can truly say that I never heard an angry word, but that, on the contrary, the people behaved with the utmost good nature. Of course, on such an occasion, when, on emerging from London Bridge, we beheld an immense mass of human beings in front, it was of no use to lose temper and try violently to force a passage. All we could do was to ask the people to make way for us, as in point of fact we were bound for Windsor. I can only say that when we came upon the people—I will not call them the mob, for that they were not—they opened up on all sides as well as they could, and made way for us. As to the police, I am bound to say that they were so few in number, and so completely overwhelmed, that to use a common phrase, they gave up their duty as "a bad job." Moreover, it seemed to me that the great majority of them were just as anxious to see our beautiful Princess as anybody else. Many hon. Members present, I dare say, witnessed the scene at the Mansion House. It was, undoubtedly, a very tremendous "squash." Some of the crowd actually got on the top of the carriage, and I saw a great many running not only by the side of it, but between the leaders and the wheelers of the carriage. I appealed to several policemen who were standing in a row beyond the Mansion House to keep the people out of that dangerous position; but they would not move. I took the number of one of these fellows—it was 68—and reported him to the head of the police, who was, of course, excessively annoyed at the circumstance. As to the change from the City to the Strand, I can only describe my feelings as I approached Temple Bar as something like those of Arctic voyagers who having been locked for weeks among icebergs, at length see clear water in the distance. That was very much the sensation I felt when we got beyond Temple Bar. "Thank God," I said, "now we have got over the worst of it." With reference to what passed between me and the Lord Mayor, I have to say that when I learned that I was to have the honour of taking part in the procession, having had experience for nearly a quarter of a century in such affairs, I thought it right to see the Lord Mayor on the subject. My right hon. Friend first of all gave me a most excellent luncheon; and then I said to him, "Are you quite sure you have got a sufficient force to keep the line clear, as there is sure to be an immense concourse of people?" My right hon. Friend replied that he thought they had, but he would consult the head of the police. I then said, "I don't come as Her Majesty's Chief Equerry to you as Lord Mayor. I have no right to interfere in this matter, or give orders about anything. But coming merely as Alfred Paget to Mr. Rose, I may tell you I have reason to believe, that if you want any assistance, you will get it, not only from the Horse Guards, but from the Metropolitan Police." Of course, it would have been beyond my province to have said more. I was not charged to keep the streets clear, and what I said to my right hon. Friend was merely by way of suggestion. I left it to my right hon. Friend to communicate what he wished to the Horse Guards and the Metropolitan Police; though I should have been very happy if my right hon. Friend had authorized me to carry any message to Sir Richard Mayne. I, however, went to my right hon. Friend merely as an old friend, and not as in any way authorized to make an official communication to him.

Colonel FRENCH said, it could not be expected that the Secretary of State would take upon himself at once to decide the respective merits of the City and Metropolitan Police. The right hon. the Lord Mayor spoke rather disparagingly of the Horse Artillery, but they had been thanked by his Royal Highness the Commander-in-Chief for the services they rendered on the occasion in question.

The LORD MAYOR (Mr. Alderman Rose) did not mean to cast any reflection on the Artillery. The men did all that men could do under the circumstances; but the trappings of their horses were not adapted to the sort of work they had to perform.

Mr. AYRTON said, the Lord Mayor seemed to think that Her Royal Highness went through the City for the purpose of testing the efficiency of the police, and that the hon. and gallant General (Sir De Lacy Evans) had been too eager in seizing an opportunity of attacking that force. But it was really a very old question whether the City Police should exist as a separate body, with a separate jurisdiction from the general metropolitan force. In 1854 the subject was investigated by a Royal Commission, presided over by the right hon. Gentleman who was now Secretary for War, which reported against the continuance of the separate jurisdiction of the City Police. The matter was again brought under the notice of a Committee of the House in the year before last, and attention was directed to the Report of the Commission, which had hitherto been disregarded. This question involved many serious points, which ought to be considered by the Government. It was an extraordinary thing that in the heart of the metropolis there should be a separate jurisdiction, which had the right to co-operate or not, at its pleasure, with the great body of the police, to protect the interests of the inhabitants by whom their jurisdiction was surrounded. As Sir Richard Mayne had often pointed out, if the City rested in security, it was not due to the City Police, because there was no place within the limits of the City where the thieves and ticket-of-leave men dwelt, while the City was occupied by shops and warehouses, against which the thieves exercised their vocation ; but all the persons by whom the City might be invaded necessarily resided outside the City, watched by the Metropolitan Police; and it was therefore essential, for the protection of the public, that there should be one force, one jurisdiction, and one administration for the whole metropolis. He believed the peculiarity of the present system was due to the fact that it was introduced by Sir Robert Peel, as a tentative measure, to be at first confined to one or two districts, and extended gradually if it proved successful. As it had worked well, its extension had naturally followed; and the Government ought now to consider whether the time had not arrived when the City ought to be included within its scope. The Commissioners expressed their belief that the amalgamation of the Metropolitan and City Police was a measure recommended by considerations alike of efficiency and of economy, and they proposed that the corporation should be relieved from the contribution it now paid towards the police, the City receiving the same assistance from the Consolidated Fund as the rest of the metropolis. Nobody benefited by the existing arrangement, except those who managed the corporation. The inhabitants of the City actually paid more for police purposes than those of other towns, and the separate jurisdiction was maintained solely in order that certain parties in the City might have the gratification of a little municipal self-importance. Great streams of carriages poured every day into the City from all parts of London, and nobody would deny that any police regulations which might be adopted in the City should have some reference to the various sources from which the immense carriage traffic was derived. Would it be believed that a Bill had been introduced in another place empowering the City corporation to make any rules they might think fit for the regulation of that carriage traffic, coming, as it did, from all parts of the metropolis? That extraordinary power was claimed for no other purpose than to bolster up the present unhappy state of things in the City. He hoped the Government would not imagine that the hon. and gallant Member for Westminster had brought forward this subject on the impulse of the moment. It had been brought forward because recent events had proved—what anybody might have known before—that there could not safely be in the centre of London a police jurisdiction separate from that which existed in the rest of the metropolis. He trusted, now that their attention had been called to the subject, that the Government would give it their earliest and most earnest consideration, and that at no distant day they would be prepared to deal with it in a practical manner.

SIR GEORGE GREY: I am not surprised that the hon. and gallant Member for Westminster (Sir De Lacy Evans) should have brought this subject under the notice of the House, for it is one which well deserves attention. There can be no doubt that on Saturday last there was a serious obstruction to the passage of the Royal carriages through the City, and I have felt it my duty to write to the Lord Mayor on the subject, calling his attention to the reports I have received, and reminding him that the route was fixed, and obtained the sanction of Her Majesty, on the distinct understanding that every effectual means would be taken to prevent confusion and delay. It is well known that from the Bricklayers' Arms to London Bridge, and from Temple Bar to Paddington, although the whole route was crowded by vast multitudes, there was not the slightest obstruction or delay; but that no sooner had the procession entered the City than its progress was obstructed by dense masses of people, a stoppage of nearly twenty minutes taking place on London Bridge. At the Mansion House also a considerable delay occurred ; and I have been informed by gentlemen who were in attendance on the Prince and Princess that there appeared to be an absence of any authority, and a want of those efficient arrangements which should have been made on such an occasion. In the letter which I have addressed to the Lord Mayor, I have requested him to state the number of police who were on duty in the streets on Saturday, the orders under which they acted, and the arrangements which were made beforehand for maintaining order and preventing confusion. I deeply regret what took place, because it was the only circumstance of the day which could in the slightest degree lessen the effect or diminish the splendour of the cordial and enthusiastic reception which was given to the Princess on her passage through the metropolis. The Lord Mayor has stated that no assistance was offered by the Metropolitan Police, and that the assistance offered by the military authorities was promptly accepted. I am surprised at that statement, because I have been informed, by the highest authority, that the Quartermaster General was sent into the City to offer every assistance; that all assistance was in the first instance refused; but that on further consideration the City authorities consented to admit into the City the mounted artillerymen, who were very useful in aiding the progress of the Royal procession. With respect to the Metropolitan Police, I may remind the House that the Act which constitutes the City force gives the City authorities absolute power on all extraordinary occasions to remove all obstructions from the streets and to regulate the traffic in whatever manner they please. It also authorizes the Metropolitan Police to be employed in the City on such occasions, but only at the request of the Lord Mayor. Now, Sir Richard Mayne has assured me that on the 28th of February he attended a meeting of the Reception Committee in the City, and offered to take charge of that part of Fleet Street which adjoins Temple Bar, reminding them of the section which authorizes the Metropolitan Police to be employed in the City at the request of the Lord Mayor, and stating his readiness, on such request being made, to comply with it by sending a body of his men into the City. He also reminded them, that on the occasion of the Emperor of the French paying a visit to the City, the Metropolitan Police took charge of the streets from Temple Bar to St. Paul's. I am afraid that the confusion arose from the over-confidence of the City authorities in the efficiency of their police, which, although efficient for the performance of its ordinary duties, is insufficient, in point of numbers, to meet the extraordinary circumstances of such an occasion as Saturday. At the same time, I think we cannot say at once, without further consideration, notwithstanding what has occurred, that there should be an amalgamation of the Metropolitan and City Police—although I certainly agree with the opinions which have been expressed as to the expediency of such amalgamation. It is no doubt a great anomaly that a comparatively small district in the centre of the metropolis should have a separate police jurisdiction of its own; and I think some alteration of the law is necessary to give to the Government—acting in concert with the City authorities, but not wholly dependent upon them—the power on special occasions to take precautions against the recurrence of such scenes as those which happened in the City on Saturday. The Lord Mayor has referred to certain vans of Metropolitan Police which helped to obstruct the streets in the City. I believe that a certain number of the Metropolitan Police, ordinarily stationed in the eastern districts, but required to do duty in the west on Saturday, passed through the City on that day; but I do not see how they could have caused the obstruction and delay on London Bridge. I am afraid that the arrangements of the City authorities were not such as to insure success; and I have no doubt that what has taken place will lead to the introduction of some change which will prevent a repetition of what occurred on Saturday. Except from the reports in the newspapers, I have no information on the subject of the fatal accidents which occurred on Tuesday night, and I am not prepared to say that any one is to blame on account of those calamities. So vast were the crowds which flocked into the City to see the illuminations, and so great was the pressure at nearly all points, that I doubt whether it would have been practicable to make any police arrangements which would have insured absolute safety to every person in the streets; although it is doubtless important that every practicable precaution should be taken on such occasions to prevent loss of life. It is right that I should say that Her Majesty has commanded me—and I have addressed a communication on the subject to the Lord Mayor—to express the regret and concern with which she has read the accounts of this loss of life, and her deep sympathy with the families of the sufferers. Her Majesty has also intimated her desire that an inquiry should be made into the circumstances of those families, in order that the information may be communicated to her.

MR. ALDERMAN SIDNEY said, that advantage had been taken of recent circumstances to inveigh against the management of the City police. He would, however, remind the House that the City was by no means an insignificant portion of the metropolis, either as regarded wealth or population, for though only about 120,000 persons slept within its walls more than 800,000 persons resorted to it daily in their avocations of trade and commerce. He thought he might challenge any hon. Member to show whether any complaints had ever been made by the merchants or other business men of the City as to the management of the City police; and it would be too much to insist upon a change because a calamity had occurred which none deplored more than the citizens themselves. He was of opinion that Her Majesty's Government had interfered most injudiciously with the arrangement of the civic authorities for the Royal procession. If those authorities had been marshalled at the Bricklayers' Arms, and allowed to go through to Paddington, the area for sightseers would have been greatly extended, the sightseers would have dispersed themselves over the whole route, and there would have been no undue crowding in the City of London. He admitted freely, as an eye-witness, that the City police arrangements opposite the Mansion House broke down. But they had all heard the popular story that on account of the nail the horse was lost, and its owner was overtaken and fell into the hands of the enemy. So it was on this occasion. The gallant Colonel, who, he was sure, would, in the face of an enemy, show that he was made of the right material, was animated by a slight desire for popularity, and instead of taking up his position opposite the Mansion House with the troops under his command by a route measuring 420 yards, he marched westward from the Guildhall, and took a route measuring 2,820 yards, and arrived at the position too late to be of service. From this cause, and this cause alone, the police arrangements broke down; and it would be manifestly unjust for the House of Commons or the Government to take advantage of a small circumstance like this to say that the City of London was incompetent to manage its own police. He was strongly in favour of municipal government, and he believed that the municipality of London were equally capable of selecting good administrators with the Government, that they did so without favour to individuals, and that on all occasions they endeavoured to select the most efficient men for the discharge of public duties; and he was at a loss to know if the Government or any other body could do more. He considered it was a great defect that so much of the police force of the metropolis was already concentrated and placed under one head; and it would be better if the hon. Member for the Tower Hamlets (Mr. Ayrton), instead of complaining of the municipal regulations of the City of London, would insist that his constituents should have a like municipality. If the Tower Hamlets, Westminster, Marylebone, and the Borough had their own municipalities, we should hear little indeed of a concentrated police force for the whole metropolis. It was an important fact, which must not be lost sight of, that there was not a man in the crowd on Saturday but who was willing and anxious to render every service; and was not this a testimony to the popularity of the authorities of the City of London? The circumstance mentioned by the noble Lord (Lord Alfred Paget) was a proof beyond anything that could be adduced of the popularity of the municipal rule in London. Hundreds of thousands were congregated in a small space, and still there was not a single manifestation of ill-humour; but if there had been any cause for ill-humour, or if there had been any unpopularity, they would have been manifested. He, therefore, asked the House not to look at one single occasion to the prejudice of the City of London, but to look at its general rule, and then adduce if they could any portion of the metropolis that was more contented with its rulers or more happy in the demonstration of its loyalty. He deplored the breaking-down of the police arrangements on Saturday, but it was attributable to a circumstance which Parliament would act unwisely to make too much of.

Lord ELCHO said, that having a Question of his own on the paper, he had not intended to take any part in the discussion of the merits or demerits of the City authorities. But the Lord Mayor and the hon. Alderman (Mr. Alderman Sidney) having animadverted on the conduct of a brother officer of his who had charge of the City of London Rifle Brigade, he wished to read a passage from the letter which that gallant officer had recently sent to the newspapers. Colonel Warde wrote thus—

> "Sir,—I see in your paper of this day's date that the acting Commissioner of Police, Captain Hodgson, attributes the failure of the City police in maintaining order on Saturday last to what he calls a breach of orders by the City of London Volunteer Corps, which I have the honour to

command, by, in the first place, not having taken up the position appointed for it in front of the Mansion House at twelve o'clock; and, in the second place, by the parade of the corps at the Guildhall Yard, and so by its presence interfering with the formation of the civic procession. My answer to these accusations will be brief. If Captain Hodgson will refer to the orders published by the War Office, he will find that the hour for the City Corps to be at their posts was one o'clock, and not twelve, as he makes it appear . . . . The total absence of police arrangements necessitated a circuitous route by broader streets, and to gain the Mansion House by the main line of the procession, in which it might have been expected that some effort would have been made to maintain order."

THE VOLUNTEERS IN HYDE PARK.

QUESTION.

LORD ELCHO proceeded to say, he would now come to the Question which stood on the Notice paper in his name. It was the wish of the Volunteers to join in the loyal demonstration of Saturday. Her Majesty had graciously acceded to that wish, and by Her Majesty's command they were drawn up in Hyde Park. All these Volunteer gatherings were organized by the War Office and the Horse Guards; and in this instance the space of ground railed off for the Volunteers was as much as those authorities thought sufficient, and no more; the space allotted was 1,000 yards by 100, and in that space 17,000 men took up their position, and held it without confusion or delay. Now, the following paragraph appeared in the official part of *The Times* the other day in large print, and bearing the character of an official communication:—

> "THE POLICE IN HYDE PARK.—The arrangement by which the spectators in Hyde Park on Saturday were kept at an unnecessary distance from the line of the Royal procession caused some well-founded complaint on the part of the public. We understand that the regulation enforced formed no part of the original instructions given by the police authorities, and was contrary to the express orders of Sir Richard Mayne."

That paragraph implied that the public had been kept at an unnecessary distance, or, in other words, that too large a space had been enclosed for the Volunteers; and the name of Sir Richard Mayne appeared in it. Now, he did not presume, on his own authority as an humble Volunteer, to say whether the space so enclosed was or was not sufficient for the necessary manœuvres the Volunteers had to perform; but he would quote an authority which might be set against the authority of Sir Richard Mayne, whose qualifications for his office had not been acquired in the army or the field, but at the bar. In the opinion of General Rumley, who was in command on Saturday, not one foot more than was absolutely required was railed off. Some inquiry was, he thought, necessary as to the authority by whom that paragraph was furnished to *The Times*; because it was literally a censure upon the Horse Guards and the War Office, by whom the Volunteer demonstration was directed. He could hardly suppose that it appeared with the sanction of the Secretary for War, because it conveyed a censure on his own Department; nor with the authority of the Home Secretary, because it was a censure upon his Colleague. He must, therefore, think it was sent by the authority of Sir Richard Mayne; and he must say, that if that gentleman had either directly or indirectly authorized its insertion, he had forgotten his position and exceeded his duty in so doing. If they were to have these Volunteer demonstrations in Hyde Park, it was important to know whether they were to be regulated by the War Office and the Horse Guards, or whether the space required for them was to be under the control of Sir Richard Mayne and the Metropolitan police. He did not think the Secretary of State for War would object to his putting the question of which he had given notice, as it would enable the right hon. Gentleman to maintain the dignity and importance of his Department. He would, therefore, ask by whose authority an official paragraph appeared in *The Times*, complaining that the space railed off for the Volunteers on Saturday was unnecessarily great.

SIR GEORGE LEWIS:—Perhaps it would be more convenient that I should answer this question now, although some other questions may be put to me in the course of this discussion, and which, according to strict rule, I should be unable to reply to if I at once answered the noble Lord. I have been informed by Sir Richard Mayne that the paragraph in *The Times* to which my noble Friend refers was founded upon information furnished by himself. I had no knowledge myself of the paragraph in question before I saw it in the paper, nor did my right hon. Friend the Home Secretary have any more knowledge of it than myself. I believe the arrangements in respect to the Volunteers were carefully made; that their stations in the Park were marked upon a map which was shown to His Royal Highness the Duke of Cambridge and Sir Richard Mayne, and it was understood their assent to that position had been obtained. I have communicated with General Rumley, who had the command of the Volunteers on Saturday, and he has informed me that no more room was assigned to the Volunteers than was necessary for their movements. My own belief is, so far as I am able to form a judgment, that the arrangements were properly and carefully made, and that no unnecessary ground was occupied by the Volunteers. I can only regret that any misunderstanding should have taken place; but, so far as my own information and knowledge extend, I cannot admit that any error was committed by the military authorities with respect to the position of the Volunteers on that day.

Lord HOTHAM: What has been said by the noble Lord and the right hon. Baronet renders it necessary for me to say a few words on this occasion. It may be asked why do I interfere in a matter of this description? My answer is very simple. On my way down to the House to-day I accidentally met Sir Richard Mayne in the street. He asked me if I had seen the notice given by my noble Friend, and, anticipating that some attack would be made on him, he asked me, not to defend him, but if I would have any objection to state what he did, and all that he did, on that occasion. I therefore beg the indulgence of the House for a few moments. It has always been the custom on all public occasions, excepting reviews in Hyde Park, for the police to take charge of, and to keep the streets clear through which any procession has to pass, and on that occasion the duty was confided to Sir Richard Mayne by the right hon. Baronet the Secretary of State for the Home Department. In the execution of that duty he made arrangements for the procession, not only through the streets, but through the Park. He caused to be marked off in the Park a space sufficiently wide for the passage of the Royal *cortége*, and, in addition to that, space sufficient to be occupied by the Volunteers who had expressed the laudable desire to line the way for the passage of the Royal Prince and Princess; but in doing this care was taken not to take possession of a single inch of ground which might be available for the gratification of the natural curiosity of the large population of this metropolis. This was done on Friday; but the same evening Sir Richard Mayne received information that the military authorities were making different arrangements; that they desired a much larger space to be provided, and that tickets were issued by the military authorities for the accommodation of spectators. The Commissioner of Police did not understand the thing to have gone any further than the expression of a wish that a larger space should be provided than had been marked off by himself. Great therefore was his astonishment, on going to the spot the following morning, to find not only that the space he had considered sufficient for all legitimate purposes was departed from, but that a vastly larger space had been set apart than could be necessary for the Royal procession, thus depriving thousands of the opportunity of seeing the illustrious Princess on whom the thoughts of every one were fixed. The noble Lord (Lord Elcho) has talked of no larger space being taken than was necessary for the execution of manœuvres by the Volunteers, and he has also spoken of what is usual on Volunteer gatherings. To hear the noble Lord talk of Volunteer manœuvres, one would suppose that a review or field-day was to have taken place; and as to a Volunteer gathering, it was no further to be considered a Volunteer gathering than to exhibit to the Prince of Wales and the Princess Alexandra the earnest desire they had to pay their loyal respects to them. If my noble Friend means to say that no more ground was taken up than was necessary for enabling the Volunteers to get into their places, he must be attributing to the Volunteers a want of discipline which I should be ashamed to impute to them. [Lord Elcho: I quoted the opinion of the General in command.] Let me tell the noble Lord no one has greater respect for the General in command than I have; but if he were asked whether it would be necessary to give a space of from 100 to 120 yards in width to enable the Volunteers to get to their places in the Park, I am greatly mistaken if he would not think that any person putting such a question to him could have but a poor opinion of their discipline. Do not let my noble Friend imagine that I mean to say anything disrespectful to the Volunteers. No man in England appreciates more than I do their loyalty, the zeal they display, or the time and money they expend in acquiring a knowledge of their duties. No one witnessed with greater pleasure than I did the Volunteers, including my noble Friend's well-appointed corps, pass along Pall Mall that morning; and the noble Lord could not fail to see a battalion of Her Majesty's Guards, through which he himself passed, the regiment indeed to which I formerly had the honour to belong. They marched down Pall Mall, and took up their places; they did not require a space of 100 or 120 yards wide to do so. They marched down Pall Mall, with their band at their head, the street being tolerably crowded at the time. In Waterloo Place one wing took its post on one side, the other wing on the other side, and scarcely any disturbance of the street took place. Therefore, I do think my noble Friend must have expected that something more was to be done by the Volunteers than the mere lining of the space through which the Royal *cortége* was to pass. I have heard it said that one reason for taking up this large space was that they might "march past," but whom were they to march past? [Lord ELCHO: The General in command.] The General in command! The senior officer on the ground, no doubt; but I am quite certain that General Rumley, if left to himself, never would have submitted to be "marched past" by a body of Volunteers on such an occasion. They were assembled to do honour to the Prince and Princess; that was the duty they had to perform; and when that duty was performed, they ought to have done what, in point of fact, they did—the moment the procession passed, they went away home. I have said so much—perhaps more than was necessary for the occasion—in explanation of the part taken by the Chief Commissioner of Police. I have stated that when he went in the morning he was greatly surprised to find his orders contravened; and so displeased was he that without any notice to him his orders had been deviated from, that the first thing he did, and very properly, was to suspend the officer who had charge of the police in that particular quarter. He pleaded, in extenuation, that he was almost compelled to deviate from his orders by a Staff officer; but, said Sir Richard Mayne, "Your duty was immediately to have sent notice to me of the orders you were compelled to obey, instead of taking up different ground from that which I ordered you to occupy; you should never have yielded it except to force or without giving notice to me." On the morning after the procession there appeared in *The Times* newspaper some observations reflecting very strongly on the conduct of the police, and perhaps some hon. Gentlemen may say—my noble Friend has said so—it was not fit for a person in the situation of the Chief Commissioner of Police to communicate with the Press. [Lord ELCHO: I did not say so. I said to censure the arrangements of the War Office.] Well, censuring the arrangements—my noble Friend puts his own construction on it. The paragraph simply says, that Sir Richard Mayne denies that what is charged against him is true, or that it was done by his authority. It may be said to be wrong for any official to communicate with a newspaper. That, however, is a course which hon. Gentlemen on every side of the House adopt when any imputation is wrongfully cast upon them. If it is said to be wrong that a Member of the Government should communicate with the Press, I can only say, I have heard the noble Viscount justify the propriety of sending papers to the newspapers before they were delivered to Members of the House; and therefore I think it can hardly be said that there is any great blame to be cast on any one for taking the opportunity of contradicting, in the way my noble Friend quoted, an accusation unjustly preferred against the police. Let me further say, there is not the slightest soreness on the part of Sir Richard Mayne in consequence of anything that may have been done by the War Office. My noble Friend has said, that it was usual upon such occasions for arrangements to be made by the War Office and the Horse Guards. That may be so; but if Sir Richard Mayne had been told by the Home Secretary that he need not pay any attention to Hyde Park, he would have said something like, "I am very much obliged to you, as I shall have four hundred constables to place elsewhere." As no communication was made to him that any departure from the ordinary course would be made, Sir Richard Mayne felt it to be his duty to act as he had always acted upon such occasions. Lest there should be any mistake, I will read what was written by Sir Richard Mayne to the gentleman connected with *The Times* newspaper, and which led to the paragraph which my noble Friend has quoted. Sir Richard Mayne wrote—

"With reference to the just observations in *The Times* report this morning (page 11) of the people having been kept at too great a distance from the line of the procession in Hyde Park, as regards the Police interfering for that purpose, it was contrary to my express orders, and I have suspended the Superintendent of Police who had charge of that part of the line, although he pleads in extenuation that he acted on the urgent demand of Colonel M'Murdo that he should place the Police at the distance along the hurdles. My intention was that so much ground only should be kept as would allow room for the Royal *cortége* and the columns of Volunteers at the side. I was much annoyed on coming into the Park to find that the Police were acting contrary to my orders, the effect being to deprive many thousands of all sight of the Princess, and to deprive the Royal party of the joyous cheering there had been elsewhere at every point. I never witnessed such continued hearty acclamations of welcome as were given on Saturday from countless multitudes of all classes, from the Borough along the whole of the route. You may take any notice you think proper of the arrangements in the Park."

Thanking the House for its indulgence, I need hardly say my only object has been this—that when an individual, be his station high or be it low, has been aspersed, he should have an opportunity of having his case fairly stated; and I know, that although we are sometimes governed by political feeling, yet, when it is a question of justice and honour, the House of Commons may safely be trusted to deal with it.

Sir GEORGE GREY: Although in strict right I have no right to address the House again, yet, perhaps, it will permit me to say a few words upon this subject. I must, in the first place, express my regret that conflicting orders should have been given by the civil and military departments, and I must also express my regret that my noble Friend has thought it worth while to bring the subject before the House. Sir Richard Mayne was influenced by a feeling which does him great credit—a desire that his arrangements should be such as to enable the largest number of persons to see the procession and to welcome the Princess. The military authorities appear to have taken a different view of the occasion as regarded Hyde Park. Sir Richard Mayne understood that the arrangements as to the Volunteers were, that they should form a line on each side through which the Royal procession would pass, and that a space beyond would be kept clear by hurdles, sufficient to prevent the pressure of the crowd, up to which the general public would be allowed to come, and thus obtain a comparatively near view of the Princess. The military authorities thought it should be treated as a parade-ground, and therefore required a much larger space to be kept clear. I am sorry there was this misunderstanding, and that there was not a better previous concert, but I have no doubt that in future means will be taken to prevent the recurrence of any such misunderstanding.

COLONEL BURGEVINE AND HIS CHINESE CORPS.—QUESTION.

Colonel SYKES said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether the Government will communicate to the House any further Papers, in continuation of those of the Session of 1862, respecting the progress of affairs in China, particularly in regard to the recent mutiny of the drilled Chinese troops under General Burgevine; the accusation of treason and robbery against that Officer; his removal from his command, and the issue of a proclamation by the Footae of Shanghai offering a reward of 20,000 dollars for his head; the appointment of Captain Holland, of the Royal Marines, by Major General Stavely, commanding the British Force at Shanghai, to the temporary command; the refusal of the Chinese troops to accept him as their commander; and any information of the proceedings of Captain Dew, R.N., at Ningpo?

ITALY—AFFAIRS OF ROME.

OBSERVATIONS.

Mr. STIRLING—in rising to call the attention of the House to a portion of the Correspondence relating to the affairs of Rome, and to ask for the production of the despatch, or a portion of the despatch from Mr. Odo Russell reporting the words of the Pope during their conversation on the 26th of July 1862, which led to Earl Russell's despatch of the 25th of October 1862, and the suggestion that the Pope should retire to Malta—said, he wished in particular to draw the attention of the House to Earl Russell's despatch dated the 25th October, which he believed many Members of the House would agree was one of the ablest State Papers on the subject of contemporary politics which had proceeded from the Foreign Office. But after the first feeling of admiration was over, there arose another feeling of wonder why that despatch had ever been written; and this feeling was rather strengthened when it was seen that the despatch which followed contained a reason why the first should not have been published at all. This despatch was written six days later than despatch No. 1, and was addressed to Lord Cowley, for the purpose of being read to the French Minister for Foreign Affairs in order to elicit from him a frank interchange of opinion on the dangers and inconveniences of the prolonged occupation of Rome. Now, he (Mr. Stirling) thought it might fairly be questioned whether it was altogether frank to invite a discussion of this nature with the French Minister, and yet to conceal the fact that the writer of the despatch, the English Foreign Secretary, had proposed to the Pope that he should withdraw himself from his French protectors, and should elope with the English Admiral to Malta. But proceeding through the succeeding despatches, it was not until we came to No. 7 in the published Correspondence that we found any explanation of the mystery. Then we discovered that the French Government, in the yellow-covered collection of despatches which it presented to the public annually, had inserted what Earl Russell regarded as a very inaccurate statement of what took place between Mr. Russell and the Pope so long ago as the 26th of July. Lord Russell characterized that statement as a compilation of the hearsay of Rome; and on the 29th of January, he addressed a despatch to Earl Cowley for the purpose of setting the matter right, and referred to the original despatch of Mr. Odo Russell, which was not compiled from hearsay, but was written on the very day when the interview took place, and while the facts, therefore, were fresh in the recollection of the writer. One might suppose that a paper of this kind, coming from the British Foreign Minister, would have met with a courteous response, and that some apology would have been made for the rash romance put forth in the French "yellow-book." But this was far from being the case. Lord Cowley was directed to read this despatch to the French Foreign Minister, but no intimation was afforded as to the answer made by M. Drouyn de Lhuys, or the manner in which he received the despatch. But it was remarkable that since the publication of the "yellow-book" and of these Parliamentary papers the French press had never ceased to attack the policy and impugn the statement of Earl Russell in regard to the affairs of Rome, unless at such times as it was engaged in attacking and impugning his policy with regard to Poland. Now, the comments of newspapers where the press was free, however valuable in themselves, would not be fit subjects for discussion in this House; but we knew that as regarded the articles in the French press, their intrinsic merits were by no means a fair criterion of their importance. Since the establishment of military despotism in France, the French press had been merely a machine with a hundred mouths through which the Sovereign addressed the world. The present Minister of the Interior in France entered office with a flourish of trumpets about extended freedom of thought, but he had since been principally occupied in repressing and punishing any movement in that direction. That Minister sat in his office with a kind of telegraph by his side, by means of which he was enabled to drop an extinguisher on any newspaper in France. He was in fact the sub-editor of the French press, responsible to no one but the Emperor, who was himself in reality the editor-in-chief. The French press, so conducted, had been especially eloquent, sarcastic, and bitter on the subject of what it called "the incident Odo Russell." It denied that Lord Russell's statement was correct, it asserted that the romance of the "yellow-book" was substantially true, and it had hinted at the existence of an official document, emanating from Cardinal Antonelli, denying the accuracy of the one and confirming the statement made in the other. The question naturally arose, were these imputations made from some pious motive, but upon confessedly insufficient grounds, or were they made under a misapprehension of the facts, and in the conviction that the statements they put forward were true? It appeared to him (Mr. Stirling), in the original despatch of Mr. Odo Russell there must be ample means of setting the matter completely at rest. He did not ask his hon. Friend the Under Secretary of State (Mr. Layard) to produce the whole of this despatch, because at the interview between the Pope and Mr. Russell on the 26th of July much might have passed which it would be improper to make public. The position of the Pope, between his French protectors on the one hand and his duties to the Church and his people on the other, must be painful indeed to a man universally allowed to be of so excellent a character. Possibly the Pope dropped to Mr. Russell some hints concerning these varied perplexities. On these points the Under Secretary of State might withhold information; but would he not give the House the precise words reported by Mr. Odo Russell which led to the suggestion that the Pope should go to Malta? The subject-matter of Mr. Russell's despatch to his chief, though perhaps important, was evidently not urgent, for the Foreign Minister took twelve or thirteen weeks to answer it, and must therefore have written with great deliberation, and under the impression that there was no great urgency as regarded time in the proposal that was made. Under these circumstances, he would ask his hon. Friend, whether there was any objection to lay upon the table a Copy of the Despatch of Mr. Odo Russell, or of a part of it, reporting those words of the Pope during their conversation on the 26th of July, 1862, which led to Earl Russell's Despatch of the 25th of October, and the suggestion that the Pope should retire to Malta?

AFFAIRS OF JAPAN.—OBSERVATIONS.

Mr. HENRY SEYMOUR rose, according to notice, to call the attention of the House to recent occurrences in Japan, and said, that great care was requisite in the selection of a Minister to Japan since the opening of the ports in 1858; but the fact was that two gentlemen sent out as Consuls there had misconducted themselves. One of them, Mr. Hodgson, had been recalled, and Mr. Morrison, as far as the merchants in Japan could ascertain, had been sent home to answer certain accusations made against him for very indiscreet conduct as British agent in that country. From the published papers it now appeared that Colonel Neale also was at variance with the whole of the British community out there. He did not wish to impute any blame to Colonel Neale, but he wished to know whether any further despatches had been received than had yet appeared, for in one of this officer's letters he seemed to allude to some further despatches as having been sent home by him, and the British residents were very anxious that the Under Secretary should produce any despatches in which Colonel Neale had attacked them, or, if no such despatches had been received, should state so publicly. He wished also to ask what steps the Government intended to take in consequence of the outrages which had been perpetrated on British subjects in Japan. These outrages began on the subject of other countries. In 1859 an attack was made on a Russian naval officer and a sailor; in 1860, on two Dutch captains; in the year following, on the American Secretary of Legation at Yeddo; then there were two attacks on the British Legation; and in 1862 occurred the cruel murder of Mr. Richardson. The British merchants and their friends, feeling the insecurity of life in Japan, were naturally most anxious to know whether the Government would take any steps to prevent these lamentable occurrences. He believed he represented the general feeling of the British merchants in Japan when he said that sufficient care had not been taken by the Foreign Office in the selection of its agents; and he thought it was quite possible, in opening up relations with Japan, for the Government to choose gentlemen who would be able to execute our consular duties and at the same time conduct themselves as Christian men. Colonel Neale, our Chargé d'Affaires in Japan, was a gallant gentleman; but what were the antecedents which, in the eyes of the Foreign Office, qualified him for his present post? He had not had Oriental experience. He found that the gallant Colonel joined the liberating army of Portugal in 1832, and until 1860 he had not been further east than European Turkey. Suddenly he received a despatch from the Foreign Office appointing him to an official post in China, whence he had since been transferred to Japan. At that time our relations with Japan were extremely delicate, and surely some gentleman versed in Eastern diplomacy could have been found to fill the post. This country had been involved in wars which cost us millions by the ignorance or unfitness for their duties of consular agents sent to foreign countries. There had not been a more fruitful source of expense to this country than the bad choice of our agents abroad; and that remark applied in many cases, from Mexico to Pekin. He hoped the Under Secretary for Foreign Affairs would afford the House some information on the points to which he had directed his hon. Friend's attention.

Mr. LAYARD, in reply to the hon. and gallant Member for Aberdeen (Colonel Sykes) said, that all the papers which the Foreign Office possessed with regard to our relations with China had been laid upon the table of the House. He had no information on the subject of the 20,000 dollars referred to by his hon. and gallant Friend as having been offered for the head of General Burgevine. His hon. and gallant Friend relied much on his private correspondence; but, judging from the manner in which it had misled him (Colonel Sykes) last year, he feared it was not so trustworthy as it might be. With regard to Captain Dew's proceedings at Ningpo, if his hon. and gallant Friend would take the trouble to look into the papers laid on the table, he would see that all that gallant officer's operations were described in them.

As to the Question put by the hon. Member for Perth (Mr. Stirling) he was sure his hon. Friend would quite understand that it would be impossible for Her Majesty's Government to lay upon the table of the House despatches containing a recital of conversations held by our agents abroad with persons in the exalted position of the Pope or any other European Sovereign. It had never been the custom to do so; and in the present instance it would be improper and inconvenient to produce the despatch or any part of the despatch referred to by his hon. Friend. But he might repeat that what took place on this occasion—when an inquiry was made by the Pope whether in the event of his being compelled to leave Rome an asylum would be afforded to him in England—was fully and accurately reported in the despatch of Earl Russell, dated the 29th January, which had been laid upon the table. It was true, as his hon. Friend said, that certain French papers—he knew not on the responsibility of what persons—contradicted our account of those transactions; but he was convinced that what the noble Lord had stated on the authority of Mr. Odo Russell was strictly true; because of this we might be sure, that the utmost reliance might be placed on the word of an English gentleman, and more especially on the word of a public servant so honourable and conscientious as Mr. Odo Russell. Under these circumstances he did not think it necessary to vindicate Mr. Odo Russell or to contradict any charges which the French papers might make against us. But his hon. Friend said, that the noble Lord at the head of the Foreign Office had taken many weeks to answer the question which the Pope had addressed to Mr. Russell. The fact was, the latter gentleman had left Rome at the beginning of the unhealthy season, and it was quite untrue, as stated in the French papers, that he had been called to England in consequence of anything that had taken place between him and the Pope. When Mr. Russell's leave of absence had expired, and he was returning to Rome, Lord Russell took the opportunity of furnishing him with the despatch to which his hon. Friend referred.

With regard to the Question of his hon. Friend the Member for Poole (Mr. Henry Seymour), his hon. Friend had been very much misinformed with respect to Mr. Consul Morrison. That gentleman was not recalled to this country to have his conduct investigated: he came home after a considerable residence in Japan, during which his health had become impaired. It was quite true that charges were made against him by a Singapore paper which much affected his character as a consul and a gentleman; and when these charges were brought under the notice of the Foreign Office, an immediate order was given for a full inquiry on the spot. The result of the investigation was an entire acquittal of Mr. Morrison. It was true that he had struck a Japanese, and the Government took occasion to express their disapprobation of his conduct in so doing. He trusted that when he returned he would be more careful in regard to his treatment of the natives; but he must take occasion to say, that Consul Morrison was one of our ablest agents, that he was intimately acquainted with his Consular duties, and had obtained in their discharge the approval both of the British Mission and of the British residents in Japan. As to the barbarous murder of Mr. Robinson, the House might rest perfectly certain that Her Majesty's Government would take the proper steps to obtain the fullest satisfaction for the outrage; but as the instructions which they had sent out had not yet been carried into execution, they could not with propriety lay them on the table. His hon. Friend (Mr. Henry Seymour) had made some observations with regard to the appointment of our agents in the East, and had criticised the conduct of Lord Russell in reference to his selection of those gentlemen. His hon. Friend had referred to the Foreign Office List for the antecedents of Colonel Neale, and, having first said that he had had no Eastern experience, he then told the House that he had been for some years in the consular service in Turkey. It would have been difficult to have obtained a diplomatic officer who had experience in Japan itself, because our diplomatic relations with that country had only existed for a very short time. But Colonel Neale had shown remarkable qualities as a Consul in the East—indeed, he had been one of our best Consuls—and when the position of Secretary of Legation at Pekin became vacant, the noble Lord at the head of the Foreign Office, thought he was the man best fitted for the post. His conduct in China justified the selection of the noble Lord; and when it became necessary to send a *chargé d'affaires* to Japan, Colonel Neale was selected; and he (Mr. Layard) ventured to say, that a better selection could not have been made. His hon. Friend made his accusation in such general terms that he had not even excepted Sir Rutherford Alcock, than whom no officer in the service was more deserving of consideration. The hon. Gentleman had asked whether Colonel Neale had sent to England any observations in reference to the accusations made against him by the merchants in Japan. The answer was, that no such statement had been sent to England by Colonel Neale. He believed that after the despatch printed in the blue-book had been written, a good understanding was restored between Colonel Neale and the merchants; and therefore the Colonel very wisely thought it better not to carry on the controversy. They had all become good friends again, and no such observations as those alluded to had been sent to England.

Sir GEORGE BOWYER thought it was necessary to make a correction of the statement of the hon. Gentleman (Mr. Layard). He understood the hon. Gentleman to say that Mr. Odo Russell asserted that the Pope had asked whether in certain events an asylum would be afforded to him at Malta. He did not think it had ever been alleged before, either in the despatches or otherwise, that the Holy Father had mentioned Malta. All that the Pope was alleged to have done was to inquire whether, if at any time circumstances should lead him to take refuge in England, he would be likely to be well and hospitably received. Of course to that Mr. Russell (it was stated in the printed despatch) could only give a general answer. Then the noble Lord the Secretary for Foreign Affairs suggested Malta in a despatch which was read to Cardinal Antonelli. The real explanation was, that it was a mere random expression of the Holy Father just as Mr. Russell was leaving the room, which Mr. Russell had taken too much *au pied de la lettre.* The thing occurred at a time when Garibaldi was carrying on his operations in the South of Italy. The Holy Father said, "We are in bad circumstances"—"*Siamo in cattive acque*" was the expression he believed; and he went on to say something to this effect—"It is impossible to say what may happen; we may have to ask the assistance of your Government." It was a mere random expression, taken too seriously by Mr. Russell, who probably was only too glad to have something to report to his Government. It was something very like the extraordinary report which got about last year, that there was to be a rifle match between the Lord Chancellor and the Speaker. A noble Lord went up to the Speaker when he was busy, and began talking to him about a rifle match, to which the Speaker answered in a jocular way, "If I am to go to a rifle match, it must be with the Lord Chancellor of course." This the noble Lord took seriously, carried a message to the Lord Chancellor, and that noble and learned Lord actually announced from the Woolsack that he was going to shoot a match with the Speaker of the House of Commons. Of course it was explained that the Speaker had not meant anything serious from his casual expression. He believed the conversation between Mr. Russell and the Holy Father was precisely analogous, and that Mr. Russell had attached too much importance to it. Cardinal Antonelli, when Lord Russell made a serious offer of asylum to the Pope at a time when nothing seemed likely to happen to put him in want of it, explained that the whole thing was a misunderstanding; though, of course, with that courtesy which distinguished great ecclesiastics and Sovereign Princes, the Pope thanked the English Government for the offer. Too much had been made of the affair. He must say he thought the despatch which Lord Russell wrote, recommending the Pope to accept the asylum, and stating that circumstances might arise which would make him glad of it, was uncalled for and improper. It was a part of that system of meddling which distinguished the noble Lord, and which had produced so many inconveniences in all parts of the world. He was afraid that what had occurred had placed Mr. Russell in a more unfavourable position than he had occupied before with the

Papal Government—although he had never held a diplomatic position. He hoped the hon. Gentleman opposite would be able to state that this was not the case.

Mr. LAYARD: The hon. Baronet is perfectly correct. It was a slip of the tongue when I said Malta; I meant to say England, of course. I believe Mr. Odo Russell's position at Rome is as satisfactory as ever, and his conduct is as much liked as ever.

Mr ARTHUR RUSSELL (Tavistock) said, that of course it was very difficult to contradict any account of what had taken place in conversation between the Pope and his brother, at which only the two were present, but, of course, he believed the statement of his brother in preference to any other. He remembered distinctly having a conversation with his brother on the subject, and the account which he gave of it. It should be remembered that the circumstances were then very different from what they were now. Garibaldi was marching on Rome from the South, the Vatican was alarmed, the French General had withdrawn his troops from the Southern frontier, and was concentrating them at Civita Vecchia. The Pope feared some act of treachery such as had occurred before; for it must be borne in mind that he was not at all grateful to his Imperial protector, not being able to forget that he had lost two-thirds of his States under that protection. Of course, if this conversation were published officially, it would put his brother in a very awkward position at Rome, for it was contrary to all diplomatic usage to publish private conversations with a Sovereign, and to make use in this way of the confidence with which the Pope had honoured him in a critical moment. An hon. Gentleman (Mr. Stirling) had called attention to the great abuse lavished on Mr. Russell by the French press. The position of an English agent at Rome was one of exceeding difficulty. In every other capital of Europe English agents were able to co-operate thoroughly with the representatives of France; but at Rome there could be no such co-operation, for there unfortunately he represented a policy which was entirely opposed to that of the French Ambassador. In popular opinion at Rome the English agent represented national independence and the liberation of Rome from foreign occupation, and the French agent represented the perpetuation of the temporal power of the Pope and the perpetual occupation by the French troops. That was an inconvenience inseparable from the different policies of the two Governments, and nothing could alter it. The best and the most prudent policy for the English Government was to have as little to do with the Pope as possible, and to leave the Pope and the Catholic Powers to get out of the difficulty as well as they could. In a moment of great difficulty Lord Russell had offered the Pope an asylum at Malta under the protection of British guns. In case any pressure should be put upon him by his Imperial protector, that offer must be of great importance to the Pope; but instead of satisfying the Catholics of Europe and England, it seemed only to have irritated them, and they had not shown the slightest gratitude. He was glad to assure the hon. Baronet (Sir George Bowyer) that his brother's position was not in the least altered by what had occurred. The day before yesterday he had received a letter from his brother, assuring him that Cardinal Antonelli still treated him with the same courtesy and confidence. The Pope had never denied the conversation, he merely said that his brother had attached greater importance to it than it deserved. But considering the respect he owed to his Holiness, it was only his brother's duty to conclude that the Pope was not speaking at random.

Motion *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply *considered* in Committee.

Mr. Massey in the Chair.

(In the Committee)

(1.) £5,709,733, General Staff and Regimental Pay Allowances and Charges.

General PEEL thought it necessary, before voting this large sum of money, to have some further explanations of what the capitation rate actually covered. Although there was a less number of men by 3,000, there was an increase in the amount for pay and allowances of £255,000. He believed it would turn out to be an excess of Estimates over Estimates, and not of expenditure over expenditure, and to be owing to an insufficient amount having been estimated for the present year, while the amount was more correctly estimated for next year. He was confirmed in his opinion by the fact that the Estimate for the pay of officers on furlough, in page 12 of the Estimates, which for this year stood at £45,000, for next year was no less than £130,000, being an increase of £85,000 on that item alone. That was equal to the pay and allowances of seven whole regiments; and there could be no doubt that the Estimate for this year was found to be totally inadequate and not that the Estimate for next year was too high. He had no doubt that the greater part of the officers on furlough had been invalided. Now, he wanted to know whether this was one of the charges that were covered by the capitation? He believed that there was no real increase, but that the discrepancy in the Estimates arose from the improved manner in which they were compiled. They were now framed in the Accountant's branch of the War Office, where some of the most able public servants were employed, and where an opportunity was afforded of comparing past Estimates with absolute expenditure. The Chancellor of the Exchequer would, perhaps, be better able to answer him than the right hon. the Secretary of State for War; but he wished to know from some Member of the Government whether the capitation rate was a fixed payment from the Indian Government to the Treasury at a specified period, or whether it was merely a matter of account, in which the Indian Government would have the power of setting off against it any claim they might have for services performed for the Imperial Government? He should like to know, also, whether the Indian Government had ever set up a claim to make any such set-off—because the employment of Indian troops not being limited, and payment being first made by the Indian Government, twenty regiments, instead of two, might, under those circumstances, be serving in China for years before the House of Commons were asked for repayment, and would therefore not know the real amount of the expenditure? Three reasons had been given for not including Indian troops in the number of men voted by Parliament—First, that the number was not known; secondly, that if they were voted, they must be included in the provisions of the Mutiny Bill, which would not be convenient; and, thirdly, that it never had been the practice to include troops of that description in the Estimates. As to the first reason, the number ought to be known; and, as to the second, Indian troops are not included by the present form of the Mutiny Bill, and if they were, nothing would be easier than to exclude them by a special clause. As to the third reason, he was aware that in the Persian and Chinese wars Indian troops were employed which were not voted. The result was that in 1860 there were five open accounts with the Indian Government in regard to the expenses of troops, and that the accounts for the Persian and Chinese wars were not settled at that time. He might quote the authority of Lord Herbert when Secretary for War, given before the Committee, in favour of the principle he contended for—that of giving the House an efficient control over the expenditure.

THE CHANCELLOR OF THE EXCHEQUER said, that he should simply reply to the question addressed to himself individually with regard to the character of the arrangement for commuting into a fixed rate the expenses incurred by the British Government on account of the Indian army. He understood the question to be whether the capitation rate of £10 on account of the effective service was to be considered as a charge which they were entitled to make and receive without reference to any other question between the two Governments, or whether it was liable to counter claims. The best answer he could give to that question was to state, that ever since he had been in office, the attention of the Government had been very much given to the expediency, and almost necessity, of winding up the complicated pecuniary relations which had grown up between the Indian Government and the Government at home. With regard to the several wars which had been made matters of account between the two Governments, an arrangement had been made in 1839 that the ordinary expenses of the troops should be borne by the East India Company and all other charges by the British Government. A difference of opinion afterwards arose, and he did not know whether the question was settled when he (the Chancellor of the Exchequer) quitted office in 1855 or when his successor held office. Such questions, however, had now almost entirely disappeared. The British Government had received a certain amount during the present financial year for capitation, and had paid the Indian Government a certain amount, or were on the point of doing so, on account of the claims of that Government for the expenses of the late war with China. The plan which had been pursued was that doubtful claims should stand for discussion, and that clear claims should at once be met. He believed, that at the end of the present financial year, he should be able to report that substantially almost the whole sum due to the British Government on account of the capitation grant had been received; and that on the other side there was no sum due to the Indian Government still outstanding; and that by that time they would have entered upon a system the continuance of which would afford an effectual guarantee against any recurrence of the very complicated and unsatisfactory state of things which formerly prevailed.

General PEEL wished to know whether, when Indian troops were employed anywhere, in China, for example, they would be paid for out of grants voted for army purposes, or whether they would be paid by the Indian Government, and the amount set off in account between the Indian Government and the British Government. If, as he believed, they must be paid eventually by money voted for army purposes, then the House would have some check; but if they were paid by the Indian Government, they would have no such check. All he required was that the House should know what was done in these matters.

Sir GEORGE LEWIS said, he believed he could answer the right hon. Gentleman's questions satisfactorily by stating that no part of the capitation grant could be a set-off for any expense voted in the Army Estimates. He could not but think that the point raised by the right hon. Gentleman was purely technical, and had no substance in it. The real security was that possessed by the House in voting the money, for there was none at all in voting the men. As a general principle, the custom had always been to vote no money in the Army Estimates except to men included in the British Mutiny Act, which did not include the Indian troops. Every effective security was given to the House by voting the expenses of the two regiments to which the right hon. Gentleman so often referred. With regard to the charges of the Indian Government, if that Government should make a claim upon the home Government during the year, it would be provided for out of the money which the Committee were asked to vote; and if they made no claim, the sum saved would lapse into the Exchequer, and a new Vote would be taken in the following year. The matter, however, did not depend upon him. All he could do was to ask the Committee to vote the money, in case it were to be paid during the present year. With regard to the capitation rate, which was the material part of the right hon. Gentleman's speech, it was true that part of the expenditure for Indian purposes in the Estimates for the current year was for last year; but in extenuation he might plead that the charge was brought upon the Estimates last year for the first time, that in many cases they were obliged to guess, and that there were but few data upon which to found certain calculations. Notwithstanding all that, he believed the total sum voted last year would be sufficient to cover the whole expenses, and that it would not be necessary to ask the House to agree to a supplementary Vote. It was a problem of great difficulty to anticipate by a year anything so fluctuating and uncertain as the expenditure for military purposes of a great empire like this, which had its army scattered over every part of the globe; and *à priori* it would have appeared impossible to calculate what the aggregate expense might be. But the difficulty had, in a great measure, been got over. However, in some cases a Secretary of State could make but an imperfect prophecy. The great object of the House should be, that if a deficiency should arise on one Vote, there might be an excess upon other Votes which might cover the deficiency, and that the calculations upon which the Chancellor of the Exchequer founded his Budget might not be falsified. But, besides the difficulties he had mentioned, there had been an addition of twelve regiments not included in the capitation rate last year, and the new charge would not take effect to a great extent until the coming year. The principal error was in the item connected with Indian furloughs. During the mutiny, of course there were but few furloughs granted to officers; and, in order to compensate for the rigour which was then necessary, furloughs had been granted with greater liberality when a perfect state of security was established. There had, consequently, been a disproportionate amount calculated for furloughs in the present year. These circumstances would account for the discrepancy which existed between the Estimates of the last and the present year. It had been calculated by the clerks of the War Office that, upon the whole, the arrangement made with the Indian Government in respect of the capitation rate was fair, and that it did about cover the expenses of the Imperial Government in that particular.

GENERAL PEEL contended that the Estimate of the sum received last year for the capitation rate showed that the view which he had taken of the matter was correct. The twelve regiments were included last year.

MR. T. G. BARING said, they were not included in the capitation rate of last year. A comparison was made in the Returns between the strength of the army in the then past and the coming financial years, and the regiments were borne on the Estimates of last year only for the purposes of that comparison.

MR. W. WILLIAMS said, the statement made by the right hon. and gallant Gentleman (General Peel) had enabled the House to see the difference in the cost of the army at different periods. There was an excess in the Estimates this year of £255,000, as compared with last year, while there was a diminution of 4,160 in the number of men, which, calculated at the rate of £100 per man, would represent a sum of £416,000. The real excess, therefore, was about £660,000. The number of men required for the present year, over that included in the Estimates by Lord Aberdeen's Government, was 45,000, whose extra cost amounted to £4,500,000. It was for the House to consider whether a reduction in the number of men ought not to be made. Some arrangement ought to be made with the Colonies for their defraying the cost of the troops stationed in them.

GENERAL PEEL never intended to say that each man in the British army cost £100. What he had stated was that at a rough calculation £100 per man would give the whole military expenditure.

COLONEL SYKES said, that the Chancellor of the Exchequer would find himself deceived if he expected that there would not be a constant, open, and fluctuating account between the British Government and the Indian Government as long as it was felt necessary for Imperial puposes to employ Indian troops out of India. With regard to the remounts, the same detailed information ought to be afforded in the English Estimates as was given in the French Budget, where the number of horses required and the price of each were stated. In the English Estimates money was taken in a lump, as if by haphazard, for the purchase of horses.

SIR FRANCIS BARING hoped he did not understand the right hon. Gentleman the Secretary for War to say that, in framing the military Estimates, he contemplated to resort to an excess on one Vote to meet a deficiency on another, and that provided the sum expended did not exceed the whole Vote the Chancellor of the Exchequer was satisfied. He (Sir Francis Baring) did not think such a system would be satisfactory to the Chancellor of the Exchequer; but if it were, it would not be satisfactory to the House. It was understood, that when money was asked for a particular service, it was to be applied to that service, and not to any other. This was a question which the Committee on Public Accounts had endeavoured to provide against, and he believed that the recommendation which that Committee had made had been adopted by the Government. The system was most objectionable both in principle and in practice. The Government should keep as near as possible to the amount voted by the House, and its expenditure on the particular service.

SIR GEORGE LEWIS regretted that he should so have expressed himself as to produce misunderstanding in the very clear mind of his right hon. Friend. He had not meant to convey that any of the Votes were framed on the principle of covering a prospective deficiency. What he had stated was that great difficulty existed in framing an exact Estimate of fluctuating military expenditure diffused over so large a portion of the world; and that when the Secretary of State had to administer the Estimate, and found an excess of expenditure on any one item voted, he should endeavour to effect a saving on other Votes, in order to prevent the necessity of a further application to Parliament at the end of the year.

MR. C. BERKELEY asked for some explanation regarding an increase of nearly £60,000 in the Estimate for recruiting.

SIR GEORGE LEWIS said, the increase was occasioned by the necessity of increasing the number of recruits for India to meet the demand.

LORD WILLIAM GRAHAM requested the explanation promised by the right hon. Gentleman in reference to the increased charge for instruction in engineering.

SIR GEORGE LEWIS said, the increase was owing to the augmentation of the salary of the Director, who had been raised to a higher rank.

LORD ROBERT CECIL said, that as the discusssion on the details of the Vote appeared to have terminated, he wished to make a few observations on the details of the Vote generally. In the debate the other evening both the hon. Member for Lambeth and the right hon. Gentleman the Member for Huntingdon, appeared to join in the statement that £100 per man represented with sufficient accuracy the actual cost of our army. And it seemed, from the general tone of the debate, to be agreed that any reduction in our Army Estimates was to be looked for more in the reduction of the number of men rather than in the reduction of their cost. Last Session, also, the right hon. Gentleman the Secretary for War told the House that a reduction of cost meant a reduction of efficiency. Now, against that doctrine he wished to protest, and he would take leave to advance a few figures in support of his view of the case. Nobody who looked at the present state of the country could believe that the army would remain on its present costly scale; and if the number of men were reduced, it came to nothing more than this:—That whenever war broke out again, we should witness, as in 1853-4, the melancholy spectacle of boys hurried out to the trenches, and again incur the humiliation and reproach of hunting in every foreign country for volunteers to fill our ranks. He looked, therefore, with distrust and dislike on the doctrine, that reducing the cost of the army must depend exclusively on a reduction in the number of men. How were they to discover whether the alternative of reducing the cost was possible? Last night a discussion regarding the cost of ships had taken place, and the test generally accepted was the expense which would be incurred in private dockyards. There were no private yards to compare with the army yard kept by the right hon Gentleman, so that this test could not be applied literally. [Sir GEORGE LEWIS: The Volunteers.] But a test analogous to that which he had referred to was supplied in the cost of armies kept by foreign Powers. In searching for an authorized statement of the cost of the armies of different European nations, he found one compiled by Von Reden, an eminent German statistician. He did not vouch for the calculations, but he would give them to the House as showing how strangely paradoxical was the position occupied by England. The document had been compiled about three years ago, for the troops of the "Sardinian" kingdom were included in it. The cost per head of the armies of Europe, according to this Prussian statistician, was in England, £93 15*s.*; in France, £34 7*s.*; in Sardinia, £30.

SIR GEORGE LEWIS observed, that the average of £93 15*s.* for the English army was obtained by dividing the total cost by the total number of men. It was by no means certain that in other countries the same principle was adopted, and unless the noble Lord could show that the foreign estimates were made upon the same principle as the English Estimates, and that the Yeomanry Militia and Volunteers were included, there would be no analogy between them. In some, half-pay was a separate account; unless, therefore, the noble Lord had verified all these details, the comparison he had begun to read was utterly worthless.

LORD ROBERT CECIL said, he did not know whether it was habitual for a Minister to interrupt a Member in the middle of his argument. At present he was merely laying what might be called *primâ facie* evidence before the House; he hoped, however, before he concluded, to satisfy the right hon. Gentleman that there was the closest analogy between them. In Spain the cost of the army per man was £28 13*s.*; in Portugal, £28 1*s.*; in the German States, £28 12*s.*; and in Denmark it was only £12 12*s.* Now, he meant this statement merely as an introduction to further inquiries. He confessed, that when he saw it, he was much startled. Well, there had lately been added to the library of the House, a valuable contribution in the shape of a French "blue-book," which enabled him to make a more detailed comparison between the armies of England and France in regard to cost. The total cost of the English regular army, comprising 148,242 men, was £13,157,000, or £88 per head. The French army included 400,000 men and cost £14,515,702, or £36 5*s* 10*d.* per man. Now, that cost was calculated upon precisely the same series of charges as those of the British army. He knew he should here be met by the argument of the conscription which existed in the French army. That, no doubt, was a most important consideration, for the services of the volunteer could not be secured at the same price as the pressed man. But then it was equally true that the French army occupied a different position to that of ours, for in France it was the greatest power in the State, and upon it the Crown actually rested, and it would not allow itself to be ill-used. But in order to eliminate the objection as to the conscription, he had ascertained what were precisely the non-combatant forces of both armies. There were the fighters and the non-fighters—the element that fought and the elements that wrote and manufactured. There was a very large number of men provided for in the right hon. Gentleman's Estimate who could not in any form be raised by conscription, and a reference to whom in comparison with the same classes in France was both fair and just. Now, he wanted the Committee to deduct from the £13,157,000 the cost of those that must be considered the non-combatant force of our army. They should, in the first instance, take away the pay and allowances of the non-effective force—namely, £5,700,000, deduct also the cost of its food, the commissariat supplies, and also the forage, although it was so mixed up with the other items in the Estimate it was difficult to separate it. Taking away, then, all those items, they obtained the sum total of £8,778,000, being the cost of the combatant force of the British army, whilst that of £4,378,460 was the precise cost of the non-combatant force, giving as the cost of each man £29 10*s*. Now, let them go through precisely the same operation with the French army, and see what was the expense that was due to the conscription. There were 400,000 men in the French army, the cost of which amounted, as he had said, to £14,515,702. For the combatant cost, taking out precisely the same items as those he had mentioned in connection with the English Estimates, they arrived at the amount £3,883,000 as the cost of the non-combatant force of the French army, being the proportion of £9 14*s*. 2*d*. as the cost of each man. And the Committee should never forget that the French army numbered 400,000, whilst ours numbered only 148,242 men. In other words, the English soldier cost two and a half as much as the French soldier, and in the non-combatant force each man in England cost three times as much as the man in a similar position in France. Why, the difference between the cost of the two forces was equal to threepence in the pound in the income tax. He had shown, he thought, that it could not any longer be said that it was the element of conscription which occasioned the greater expenses of the English army. But let them see the difference in a practical form. Let them suppose the scene to be altogether changed; let them suppose the French to have authority in this country, and that the right hon. Gentleman the Minister of War was supplanted by Marshal Magnan. Let them imagine that the French system of economy in this respect was established in the place of our English mode of expenditure, and that the non-combatant expenses were regulated according to the French model—what would be the result? The proportion of the cost of each man of the non-combatant force of the French army was £9 14*s*. Let them multiply that by the number of men in the English non-combatant force; the result would be the sum of £1,447,516, which would be the cost of our non-combatant force if we managed things upon the model of French economy. Deducting that sum from the actual cost of that force—namely, £4,378,469, the result would be a saving of £2,930,000 upon the expenses of our non-combatant force, or, as he had before said, a saving equal to a reduction in our income tax of threepence in the pound. He trusted that he had now proved by the most unanswerable arguments that it was possible to reduce the Estimates without reducing the number of our men. In order to illustrate his argument more in detail, he would take the cost of the central administration in each army, preferring, as a civilian, to deal with civil matters. Here the contrast was even more striking. The cost in England for 148,000 men was £182,000; the cost in France for 400,000 men was £76,000. The proportion per man in England was £1 4*s*. 8*d*.; in France, 3*s*. 10*d*. In other words, we actually paid six times as much as the French. If we could administer the English system as cheaply as the French, the present Vote, instead of being £182,000, would be £28,000. Then as to the number of *employés* in the War Office, omitting the offices of the Adjutant General and the Quartermaster General, the number in England was 565; in France, 480. But what were they paid? In the English offices there were receiving more than £2,000 three persons, in the French only one; receiving more than £1,000 and less than £2,000, in England twelve persons, in the French not one. There were in England fifty-seven clerks, in the receipt of from £500 to £1,000 per annum; in France only seven. The French offices were calculated for an army of 400,000 men; the English for an army of 148,000. It was utterly inconceivable how the force of these figures could be evaded. The right hon. Gentleman the Secretary for War might say that the constitution of the two countries was different—and that was an argument which it was impossible to meet, because nobody could tell what it meant. Probably, too, the right hon. Gentleman might state that intellectual wages were higher in England than in France. That was true enough; but as he had always understood the English characteristics they were these — that whereas you must pay twice as much for an Englishman as for a Frenchman, an Englishman did three times as much work as a Frenchman. The peculiarity of our War Office, above all others, seemed to be, that whereas its *employés* were paid twice as much as those of France, they only did a third of the work. Such was not the system by which our merchants and manufacturers had attained to their present pitch of prosperity, and had been able to beat their foreign competitors in all parts of the world. It was only in the Government offices that so strange a disproportion existed. The Secretary for War might tell the Committee that our War Office managed the affairs of the Volunteers. He did not know whether that entailed much additional work; he should be inclined to think it did not; but what did the French War Office manage? Owing to a form of government which he certainly did not approve, but which must be accepted as a fact, the French War Office had under its care and control the whole police of France. There was not an assassination, not a burglary, not a riot, not even a forgery committed in any part of France, that was not reported direct to the Minister of War; and whatever labour our Volunteers might throw on the English War Office, it was nothing compared with that involved in the management of the *gendarmie* of France. He should listen to the reply of the right hon. Gentleman with great attention, but it distanced his powers of imagination to conceive how this enormous disproportion could be justified. Then there was the question of warlike stores. Whatever doubt might exist as to whether English clerks were better than French clerks, there could be none as to whether English workmen were better than French workmen. In warlike stores, made in great measure by machinery, we certainly ought to be able to do as much for less money than the French. It was in the item for warlike stores that the great reductions so much wanted had been made. The Secretary for War had cut off about £1,000,000 at a blow. He wished to show the Committee what splendid ruins the right hon. Gentleman had left, in order that they might judge of the magnificence of the original structure. The cost of warlike stores was £1,794,000; but £680,000 had to be deducted for naval stores, leaving a balance of £1,114,000. The proportion per man in the army was £7 10*s.* 3*d.* In France the warlike stores cost £327,681, and the proportion per man was 16*s.* 2*d.* If we could manage our warlike stores as economically as they did in France, instead of £1,114,000, we would expend £119,000, and the saving upon this Vote alone would be £995,000. Such were the results of his examination of the blue-book in the library. For the honour of his country he should be glad to find his figures wrong, because the comparison he had made indicated one of the most disgraceful states of things that could be conceived. He made no personal charge against the Secretary for War. In common with every Member of that House he deeply respected his talents and accomplishments, and he knew that a good workman liked an expensive tool. The blame rested not with the right hon. Gentleman, but with themselves. The evils he had pointed out could not be remedied by any of those small parings which were sometimes suggested. What was wanted was not a saving in this or that item, but the re-casting of a vicious organization. They could not expect the Secretary for War to incur the extreme odium — certainly from below, probably from elsewhere—of effecting a thorough reform, unless he was fortified by the opinion of that House and of the country. That opinion it was their business to form. Let them first ascertain and sift the truth, and then let them discuss it until they had provided officials like the right hon. Gentleman, with a strength sufficient to complete the work. No doubt the right hon. Gentleman would be glad to move a smaller Estimate, but they could not safely neglect their duty. For the last few years we had enjoyed great prosperity, and could well afford to keep a few more clerks in a comfortable position; but dark times were at hand. Our principal industry had suffered a reverse, from which there was no prospect of its recovering, and there was every probability, that when that anticipation of future supplies from America was ended, we should feel the effects of the convulsion there far more severely than at present. Then the call for economy would become too loud to be resisted. He was anxious to direct it into a right channel. There was nothing he dreaded so much as the reduction of our army to the point at which it stood a few years ago; but if they could lead the people to believe that they might relieve the taxpayer by diminishing the expense of the army while maintaining its numbers and efficiency, they would be able to accede to the demand for economy, and to mitigate the distress of large classes without doing any permanent injury to the interest of the country.

Sir HARRY VERNEY said, that the Committee were greatly obliged to the noble Lord for his able and interesting statement, though he thought some of his points might be answered. For example, in going into a comparison of the expense of the War Offices of the two countries, there were points of difference which should not be overlooked. The business of the French War Office was almost entirely conducted by military clerks. [Lord Robert Cecil: The whole is charged in the Estimate.] He had no doubt, however, that in many respects the observations of the noble Lord were well-founded. The real point of the noble Lord's argument lay in the system of the administration of the War Office—but as to that he should give no opinion. Some years ago he was staying with General Canrobert, who said to him one day, "You have the finest soldiers in the world, but your whole system is bad and cannot be compared to ours, which is such that French troops are always ready for service." If, he said, he received that moment a telegraphic order to march to Lyons, his men were ready to march, because the provision of food and everything the army wanted were in the hands of the Intendant Général, and the army had nothing to do but to fight. The noble Lord had also omitted altogether the expenses of transports. The expense of transport in the English service was enormously greater than that in the French; and English soldiers, like English labourers or navvies, were paid at a much higher rate than French ones. While we were put to great expense in erecting huts for our men, the French soldiers when in camp built their own houses; and in the same manner, while the clothing of our army was made by contractors, that of the French army was all made in barracks. From an amendment in this system, and from the development of soldiers' clubs and institutes, and other means for preserving the health and improving the character of our soldiers, he anticipated a considerable reduction in the expense of our army.

Sir GEORGE LEWIS said, that when, some years ago, he had the charge of an office which involved the provision of the Ways and Means of meeting the expenditure of the War, as well as other Departments, he went through a statistical study very similar to that upon which the noble Lord had so laudably employed himself—namely, a comparison of the detailed expenditure of the English and French armies. He was then very much struck with the difference in these expenses, and especially the lower rate with which the French appeared to accomplish the object which we accomplished at a higher rate. He then sent over to Paris a gentleman who received great facilities from the French War Office, and made a confidential report to the English Government on the very subject to which the noble Lord had called the attention of the Committee. He regretted, however, to say, that he found the inquiry, although interesting in a statistical point of view, altogether barren of practical results, so different were the circumstances of the English and the French armies. The French army was formed by conscription; the English by voluntary recruiting. The rates of wages were totally different in the two countries, and altogether the systems of finance were different. Perhaps any Gentleman who took the *Almanach de Gotha*, or whatever was the authority the noble Lord followed —[Lord Robert Cecil: I followed the French blue-book.] He supposed that the *Almanach de Gotha* was an authentic transcript of the French blue-book. In it the noble Lord would find, in the first place, that the French budget was framed two or three years in advance, and was made on the system of providing only for ordinary expenditure. There were often extraordinary credits allowed in aid of the ordinary expenditure, and unless these were taken into account, very erroneous results were arrived at. He held in his hand the work which was readiest to hand —the *Almanach de Gotha*—a book to which the noble Lord objected, but which he believed to be perfectly accurate; and in it he found that in the years 1862-3, the Minister of War demanded 366,000,000*f.*; but then there was an extraordinary budget of 7,889,000*f.* Then there was, for the general government of Algeria, 14,000,000*f.*; and this, he apprehended, included in part military expenditure. [Lord Robert Cecil: It includes no war expenditure.] Then there was an extraordinary budget of 3,000,000*f.* for Algeria; and he supposed some part of that must be due to war. It was difficult to make a comparison of this kind without minute inquiry; and he did not believe that any practical result could be arrived at from these comparative views. If the noble Lord was prepared to act on his principle, he ought to propose to reduce the pay of the army. ["No, no!"] Then what was the value of the calculation? The noble Lord said that the expenditure for our army was excessive as compared with the expenditure of the French army.

Lord ROBERT CECIL: What I laid stress on was the non-combatant expenditure. I do not want to reduce the pay, pension, or food of the soldiers.

Sir GEORGE LEWIS: Then the noble Lord set aside the pay, pension, and food of the army. Well, that cleared away a considerable part of the ground, and narrowed the question. It was now admitted that the pay of the army and the pay of the navy—for the army and the navy must go together in this matter—was moderate and reasonable, and was not to be touched. His argument, then, was directed exclusively to the non-combatant part of the army. As he (Sir George Lewis) understood, this included the Militia. [Lord Robert Cecil: No; I entirely excluded all the auxiliary forces.] Then the noble Lord included the wages of the artificers? [Lord Robert Cecil: No doubt of it.] Then precisely the same argument applied to the wages of artificers as applied to the pay of the army and navy. It was impossible by any Vote of that House to lower the wages of the artificers. They depended on the market rate of wages in the country, and the Government must deal with those things as they found them. They could not regulate the wages of labour. Precisely the same argument applied to the clerks in the War Office. It was true that the clerks in the War Office were paid higher than the clerks in the Office of the Ministry of War at Paris. If the noble Lord wished to diminish the salaries of the clerks at the War Office, he must apply the same process to the clerks in the Treasury, the Home Office, the Foreign Office, the Admiralty, and the whole Civil Service of the country. The War Office stood on the same footing as every other branch of the Civil Service; and the noble Lord could not compare merely the War Office of London and the War Office of Paris unless he compared every other office in London with every other similar office in Paris. The truth was, all these comparisons were deceptive. They led to no practical result. All we could do was to compare the Estimates of one year with the Estimates of another, and say whether, taking the whole circumstances of England, the circumstances of our army, and the circumstances of our community, we could effect any material reduction in our expenditure. He (Sir George Lewis) had attempted to show, in introducing the Vote, that the Government had this year reduced the army within as narrow a limit as was consistent with the exigencies of the public service. It was with the pay of the army they were now dealing, and he hoped the Committee would vote the amount asked for without entering on the discussion of matters that were irrelevant to the Vote.

Colonel DICKSON said, that the very able and important statement of the noble Lord the Member for Stamford (Lord R. Cecil) ought not to be treated in the manner it had been by the right hon. Gentleman (Sir George Lewis), who could scarcely have misunderstood the noble Lord to the extent he professed to have done. He believed, with the noble Lord, that undue expenditure was to be attributed to mismanagement, and that great extravagance existed in respect to the non-combatant part of the army. He entirely concurred in that opinion, and he hoped that the noble Lord's speech would have the effect of making them watch the Estimates carefully in Committee, with a view to reduction. When the proper time came, he should himself be able to show one item of enormous unnecessary expenditure—and *ex uno disce omnes.* The *gymnasia* and other soldiers' institutes in France were, he believed, conducted much better than in England, and with much more advantage to the men. It was at our War Office that money was wasted, and, as the noble Lord had pointed out, in other armies there was much more done by military men than there was in ours. Our clothing establishments were now monstrous, and they were a source of outrageous and unjustifiable expense which was saved in other armies, because the clothing system was managed by regimental soldiers. He hoped the Committee would not lose sight of the valuable remarks of the noble Lord (Lord R. Cecil).

Major O'REILLY said, that the right hon. Baronet, in his answer to the noble Lord, had fallen into some inaccuracies which he desired to correct. The French War Minister, the right hon. Gentleman said, came down at the end of the year with extraordinary budgets; and he had mentioned one amounting to 3,000,000*f.* But that was for an extra number of men kept up, and extra war expenses incurred in China, Mexico, and elsewhere—and it should be remembered that that House was not unaccustomed to extra budgets for war expenditure incurred in the period provided for by the Estimates. The French Estimates were perfectly accurate for the number of men provided for. The right hon. Gentleman had spoken of the large expenditure for Algeria. If he would glance at the *budget de la guerre* he would find first the charge for the army at home, and secondly that for the army in Algeria; and he would see that the cost of the artillery at home and then that of the artillery in Algeria was included in the War Estimates. The cost of the civil administration in Algeria was a distinct matter. As to the difference in the charge for the pay and allowances of the soldiers of the two countries being caused by the existence of the conscription in the one case and its absence in the other, he must confess he was surprised to find the difference so little as it actually was. The pay and food of the English infantry soldier cost 13*d.* per day; and the pay and food of the French infantry soldier cost something over 10*d.* per day. In France it varied in different regiments and according to different circumstances, but it was never less than 10*d.*, and was in most cases 11*d.* per day. The English cavalry soldier's allowance, and he believed also that of the artillery, was 16*d.* per day, while in France the artillery's highest pay was 13½*d.* While the difference between the pay of the individual man was only 16 per cent, the cost of the English soldier to the country was infinitely more than that of the French soldier. It was not the conscription which caused that immense difference, although it accounted for some small part of it. It was said that wages were higher in England than in France; but every commercial man knew, that whatever might be the rate of wages per day in England as compared with France, the cost of labour was less in England than in that country. If it were not so, as the noble Lord had truly said, we could not maintain our commercial superiority. Therefore, the item of wages would not account for our excess of expense. Then it was said, that the clerks were paid more in this country; but the higher rate of pay had nothing to do with the number employed. He had made these remarks because he could not agree with the right hon. Gentleman that careful examinations of the cost of our army as compared with the armies of other countries were useless; and he thought, that if the right hon. Gentleman would apply his clear intellect to these practical matters instead of to the abstract inquiries in which he delighted, great advantage might accrue to the country.

Mr. POLLARD-URQUHART maintained that though wages might be higher in England than in France labour was much more efficient here than there. The proof of that lay in the fact that in England every branch of business could be carried on at less expense than in France, with the single exception of the business of our Government Departments. The thanks of the House were due to the noble Lord opposite for calling attention to this subject in so clear and forcible a manner; and it was to be hoped that the right hon. Gentleman (Sir George Lewis), who was not personally accountable for the present system, would direct his energies to its reformation.

Mr. W. E. FORSTER said, the noble Lord opposite, by his lucid, argumentative, and conclusive speech, had done good service to the country, and the right hon. Gentleman the Secretary for War, had not answered it—indeed, it would be unfair to expect him to do so on the spur of the moment. All he had attempted to do had been to state one or two things which the noble Lord expressly excluded from his comparison, and which evidently had nothing to do with it. The right hon.

Gentleman stated that the payment of artificers was less in France than it was here; but that could not account for the difference of cost which had been pointed out. He himself as a manufacturer, could meet the French manufacturers with a 15 per cent duty at their back, because, though he could not compete with them in taste, he was able to get things made cheaper than they could. He did not think that they would be able to get people to work at a lower comparative cost than the Government did. They often heard in that House comparisons drawn between the comparative expenditure of the English and French navies; and he thought they ought to be much obliged to the noble Lord for his valuable comparison of the expenditure of the French and English armies.

Sir GEORGE LEWIS observed, that as his hon. Friend wished this matter to be inquired into, he could only say that he had inquired into it in former years and found the investigation a very barren one. The noble Lord's comparison rested on what he called the non-combatant part of the Estimates. Would he have the goodness to state what items he included? He had given the amount at about £4,000,000.

Lord ROBERT CECIL said, he had ascertained the non-combatant expenses by deducting the combatant expenses from the total amount of the Estimates; and he had compared the former with precisely similar items in the French budget. He excluded the first Vote—pay and allowances, and food and forage in the Commissariat Vote, but not movements of troops. He also left out the auxiliary forces.

Sir GEORGE LEWIS said, he was unable to understand the plan on which the noble Lord proceeded. The topographical department was not a combatant one, and there was not a corresponding item in the French budget. Barrack establishments and martial law were necessary to an efficient army, and it appeared to him that they could not be considered as part of the non-combatant expenditure.

Lord ROBERT CECIL said, that excluding the pay and food of the army, he took all other expenses and called them non-combatants; but if exceptions were taken to the word, he would adopt any other which meant the same thing. He had included clothing and fortifications.

General PEEL said, that they were on the first Vote, pay and allowances, and this discussion had been irregular.

Lord ROBERT CECIL said, his object had been to prove that retrenchment could be effected without reducing this Vote. Some said that in order to reduce the army expenditure, you must reduce the army, but he said, "No, you must reduce expenditure without reducing the army."

Vote *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £1,223,936, be granted to Her Majesty, to defray the Charge of the Commissariat Establishment, Services, and Movement of Troops, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."

Mr. ARTHUR MILLS moved that the Vote be reduced by the sum of £80,424, the cost of Commissariat transport in the colonies. No greater jobs were perpetrated than in the transport service in the Colonies. In the Kaffir war, in an ineffectual attempt to capture the chief Sandilli, Sir Harry Smith stated that £56,000 had been laid out for waggon-hire alone in what he termed "a bit of a brush." The Vote, moreover, was one which might be reduced without inflicting any injury on the Colonies themselves, while a division upon it would test the views of the Committee upon the question whether populations which enjoyed the advantages of self-government should not have fair notice that they must not rely entirely on Imperial resources, which were already very heavily burdened, to defray all the expenditure which they might incur in their own defence.

Motion made, and Question proposed,

"That the Item of £80,424, for Commissariat Establishment and Transport of Troops in the Colonies, be omitted from the proposed Vote."

Sir GEORGE LEWIS said, he thought the Committee would see that it was impossible to pass this Amendment. If the hon. Gentleman thought the expense immediately in question should be borne by the Colonies, the proper course for him to pursue would be to move a specific Resolution to that effect. But even if such a Resolution were carried, it would not be binding on the Colonies, unless embodied in an Act of Parliament. Then came the question, how far the House was prepared to tax the Colonies; which would necessarily be the result of a Vote of this sort.

With respect to the reduction proposed, the regular course would be to vote the money, and then look to the Colonies for repayment, as was done in other cases in which they contributed to military expenditure. The sum asked for, however, was one without the aid of which the movement of troops in our colonial possessions could not be effected; and if the Committee were to strike it out, the result would be to paralyse so far the public service abroad. The Motion would not, therefore, he trusted, be agreed to.

Mr. CHILDERS said, that the Vote raised the practical question, to what extent it was possible to reduce our military expenditure in those Colonies which were able to bear a larger amount of it than was now imposed upon them? That question was, he contended, in no way mixed up with that of the number of troops which it was expedient we should maintain there. He thought they were in a position to insist on a reduction of this Vote, even in the current year. He believed the Government were anxious to reduce, as much as possible, the unnecessary military expenditure of the Colonies, and he thought they would be thankful to the House for enforcing such moderate reductions as should indicate that it was the determination of Parliament to proceed in that course. He believed they might, without the least danger or pressure on the Colonies, cut off the sum proposed by his hon. Friend. In dealing with this question the usual course on the part of the Government had been first to call on the Colonies to bear barrack and commissariat expenditure, next extra pay, and only in the last resort the imperial pay of the troops. The present, then, was the Vote which would stand first in order for reduction. Of this Vote, £552,000 was for colonial commissariat expenditure, of which £300,000 applied to the colonies proper. If, then, they could make a moderate reduction in the whole Vote especially applicable to that branch of the Estimates, they would be indicating unmistakably that the expenditure for commissariat purposes ought to be reduced in those Colonies; and he did not think that a reduction of £80,000, which was only about one-fourth of the whole charge, could be considered an extravagant proposition. Take for instance the case of the Mauritius:—The military expenditure at the present time amounted to £151,000, to which the colony only contributed £10,000, and some extra allowances to officers. According to the last blue-book, the actual balance of revenue over expenditure in the Mauritius was no less than £84,600, and the general financial position of the Colony was stated to be exceedingly satisfactory. There were investments at home in the name of the Government to the extent of £293,000, and they had lent the local banks, by way of deposit, £120,000. The Mauritius had, in fact, a cash surplus of £500,000; and surely that was a case in which the Government were entitled to exact a larger contribution from the colonial revenue towards military expenditure. It might be said that the Mauritius was not self-governed; but in his opinion the case was quite as strong as the case of any Colony having a Legislative Assembly. In Ceylon there was an average revenue in excess of expenditure of £50,000. The local contributions were larger than those of the Mauritius, but still there was a large charge on the Imperial revenue for the Island of Ceylon; and that charge might be gradually reduced without trenching on the legitimate means at the disposal of the Colony. Our commissariat expenditure at the Cape of Good Hope during the next financial year would be £102,000. The Colony had greatly retrieved its financial position. Its revenues were about £400,000 a year; but it only contributed to the extent of £10,000. It would be but fair that the Cape of Good Hope should pay some part of the commissariat expenditure. The case of the West Indies was also a strong one; and Jamaica and Barbadoes should be called on to contribute towards the commissariat expenditure. He should like to have some explanation of the cause of the very large increase of the military expenditure in Jamaica in the last few years. Without going at all into the question of the North American Colonies, where there was going on a sort of anticipatory war expenditure, he thought, in the cases enumerated, ground had been shown for the diminution of the Vote proposed by his hon. Friend (Mr. A. Mills).

Mr. ARTHUR MILLS said, that the question raised by his Motion was a reduction of the gross sum by £80,000. His proposal was not that the Government should be compelled to strike off the whole of the commissariat transport expenditure.

Mr. CHICHESTER FORTESCUE remarked, that the examples quoted by his hon. Friend the Member for Pontefract (Mr. Childers) were not examples of commissariat transport merely, but of commissariat supplies. With regard to the proposition before the Committee, it seemed to him a rather novel mode of reducing the colonial military expenditure to attack this particular item. This sum of £80,000 was not a charge for the movement of troops in self-governed or other colonies, for the internal purposes of those colonies. The rule laid down and acted upon was that when troops were moved within a Colony for any purpose which came under the head of police or the maintenance of internal order, all the expenses should be recovered from the colonial Government. But this sum, which it was proposed to strike off, was for the necessary and ordinary transport, for the purpose of supplying the troops with food and forage in their different stations. It included, no doubt, the movement of troops within the limits of a certain command; but the whole was as much a part of the ordinary and necessary expenditure for troops in the Colonies as any other item in the Estimates, and it would be quite as reasonable to reduce the sums for food, forage, clothing, or pay, as to reduce this charge, which was necessary if troops were to be maintained in the Colonies at all. As to Ceylon and the Mauritius, there was no doubt much that deserved the attention of the Government, those Colonies having recently enjoyed a great degree of prosperity, and the Colonial Secretary was now in communication with the Treasury and the Horse Guards upon the subject, and had also prepared the Governments of those Colonies to receive a requisition from this country for an increased contribution to their military expenditure. With regard to the Cape, the case was not quite so simple. There a force had been maintained—a force capable of protecting the settlers from formidable external enemies—but the duty was now being performed at a much smaller cost than it had ever been before, the force maintained in South Africa having been reduced, within the last three or four years, from 10,000 to 4,000 men; and as the local border force, which the colonists, much to their credit, had established, became extended, the cost to this country for troops at the Cape would be still further reduced; and the Secretary of State would prepare them for such a reduction.

Mr. ROEBUCK said, he thought that when the Committee were called upon to cut down this Vote, they were asked to act without due consideration of the consequences. It was underlaid by a great principle affecting their colonial possessions. If they asked the Colonies to provide any portion of what was required for the movement of the army in the Colonies, they gave to the Colonies a voice in the management of the army. And he would put this case:—Supposing they had two regiments at Quebec and wanted to move them to Toronto, they being partly paid by the colonial Government, it might object to that removal, and the management would in fact pass out of the Imperial Government's hands; and if they put any portion of the management in colonial hands, they destroyed the home management. He was not unprepared for placing the protection of the Colonies in their own hands, but he did not wish to do it by a side wind. If they wanted Canada to defend herself, they should tell her so, and not come to the House on the Army Estimates and press the right hon. Gentleman to cut down the Estimate by £80,000 in a manner which would divest the home authorities of the management of the army, which was a course he was certainly not prepared to sanction.

Lord STANLEY said, he feared the Committee were getting into a difficulty. The proposal of his hon. Friend for a reduction was in substance right, but he was not taking the right way to do it. The object was to reduce the amount of the colonial military expenses. If that reduction was to be made, it should be on the whole colonial expenditure, and not on any single Vote such as that for transports or commissariat, because that expense must be in proportion to the number of troops. What was desired was to impress upon the Government, that the number of men in the Colonies paid for by the Imperial Treasury must be reduced. The question of military expenditure was a large one, but he believed that it was not one upon which any inflexible rule could be laid down. Take the case of the British provinces of North America. If it were proposed to throw upon the local Government the whole expense of military defence, the people of those Colonies would reply, "We are not likely to be drawn into any quarrel with anybody except the United States; and if we are drawn into a quarrel with them, it will be in consequence, not of our policy, but of the policy of the

Imperial Government." Such a course, therefore, would not be wise in the case of Canada:—with regard to some of the other Colonies the case was widely different. He did not think it was wise absolutely to guarantee the colonists against Native incursions, for the result was that instead of being deprecated, and instead of every effort to avoid them, Native wars were looked upon as things to be desired by a portion of the European population, to whose advantage they tended. That was the case both of New Zealand and of the Cape. The hon. Gentleman the Under Secretary for the Colonies spoke in terms of high praise of what the colonists of the Cape were doing, and he said they had actually raised a very efficient militia force for their own defence. Obviously, the impression on the mind of his hon. Friend and on the minds of the people at the Cape, was, that they were doing England a great favour by condescending to protect themselves. This was the state of feeling they were encouraging in the Colonies by this very liberality of protecting them against internal dangers. He repeated, he did not think that they could lay down a uniform rule. He quite agreed with the hon. and learned Gentleman who spoke last (Mr. Roebuck) that they should be careful of putting any portion of the Imperial forces, under the control of the colonial Assemblies. The rule of the Government should be plain and simple; it should be, not to call upon colonial communities to pay for any part of the troops, but to decide without reference to them what number of troops might be considered a fair contribution on the part of the Empire at large to their defence. Having done that, leave them to supply what was wanting by a local militia or anything else, and no question could arise between the Imperial and local Governments. But if any attempt was made to ask the colonial Government to pay for Imperial troops, they would get into an embarrassing discussion, and they might be placed in the position of calling upon the local Government to make a payment which it declined to make, and which we had no power of enforcing. He did not think this question was before the Committee in the most satisfactory manner, and for his own part, he would be glad if they did not go to a division upon it, because it would not do justice to the cause —in the main a good one—which the hon. Gentleman had taken up.

Lord Stanley

Mr. CHICHESTER FORTESCUE said, he had not intended to say that the Cape colonists deserved any great credit or praise for forming a local force for their own defence; he only meant that it was the business of the Secretary of State to induce them to substitute such a force for a considerable portion of the Imperial troops now maintained there. The difficulty which his noble Friend the Colonial Secretary felt in fixing the number of troops at such a colony as the Cape was, that if one of the formidable Native tribes made an incursion, the House of Commons would hold the Government responsible. So long as the House expected the Government to protect the Cape from savage wars and massacres, so long would the Secretary of State, feeling the burden of this responsibility, hesitate to diminish a garrison which might undoubtedly be the means of preventing such scenes.

Mr. BUXTON suggested, as the question was so wide and important, and was not sufficiently raised by the Amendment proposed, that his hon. Friend should withdraw the present Motion, and bring the whole subject before the House, as was done last year. The dimensions of the question were far too great to be dealt with by mere conversations in Committee of Supply. For one, he was extremely disappointed to see how small a distance the Government had gone in the way which had been so clearly pointed out by public opinion last year. If the subject were brought forward in a more formal manner, the House might be able to give the Government a good shove forward.

Colonel DICKSON said, he quite agreed with the noble Lord the Member for King's Lynn (Lord Stanley), and the hon. Member for Sheffield (Mr. Roebuck), as to placing any portion of the army under the colonial Assemblies, so as to deprive the people of the control of their own army; but that view of the case was not at all incompatible with the Motion of the hon. Member for Taunton (Mr. Arthur Mills). There was ground for reduction, and he should vote with the hon. Member. He wished to point out, that although there was a nominal reduction in the amount of the Vote, there was an overflowing increase in the staff of officers employed in providing these supplies. Would the right hon. Baronet explain how it was that the Commissariat Staff costs £97,000, against £94,000 last year, while the net cost of provision was only

£463,000 as against £495,000 last year; and also why the pay of Commissariat artificers and others was £17,995 as against £12,860? Every year the expenses in this direction were increasing, while the provisions of the establishment were decreasing in amount; that was in another portion of the non-combatant part of the British army, which had been before alluded to.

MR. ADDERLEY said, he must admit that the Motion was rather inconvenient, yet if persevered in by the hon. Member for Taunton, he would certainly vote for it. He regretted that the Government had not done more to induce the Colonies to undertake their own defence. It was perfectly true that the objection was connected with a much larger question—that of the policy of this country lavishing both men and money in all the distant parts of the British Empire. He ventured to say that in his opinion every farthing of this expenditure was not only money to the British people absolutely wasted, but it was money spent as injuriously for those for whom it was spent as those by whom it was spent. He knew it might be said that we have the troops there now, and, having the troops there, that we must pay for their supplies and their travelling. Well, that was perfectly true; but he would nevertheless vote for the reduction proposed, and leave it to the Government to find out how they may furnish these supplies during the remainder of the year. The sum was not large, and the effect would be to quicken the pace of the Government in bringing this question to its proper and legitimate issue. They were told by the Under Secretary for the Colonies that this transport was for Imperial purposes. He would like the hon. Gentleman to go a little further, and tell them what he meant by Imperial purposes He told them, that if these troops were moved internally in the Colonies for such local purposes as riots, the expense of such transport would be repaid to the British Treasury. He very much doubted whether that had been the case, though it might have been done in some instances. But what did he consider Imperial purposes? Our troops were in New Zealand to put down Native riots, in the Cape to prevent the cattle of the English farmer from being stolen by the Kaffir, and in the West Indies to keep down the blacks. In these instances, were the purposes for which they were used and transported Imperial purposes? The Colonies were, in fact, practically using 40,000 of our troops for their own local purposes. The case of Canada was no exception. It was the position of Canada on the frontier of a country that was in a state of disturbance, and not any policy of ours, that constituted the danger of British North America. The hon. Member for Sheffield had said, "Don't let the colonists pay for the troops, as it will give them the command of them!" In what sense would it do that? The colonists could no more interfere in the command and use of the troops than we could ourselves—but only by stopping the supplies.

MR. CHICHESTER FORTESCUE explained, that he said nothing about Imperial purposes. He merely stated that the sum of £80,000, the cost of transport, stood exactly on the same footing as the provisions themselves, and the clothing and pay of the troops.

MR. ARTHUR MILLS wished to explain the course he had taken, so that he might be clearly understood. It was true he particularly directed his remarks to that portion of the Vote, but he now spoke generally of the commissariat expenditure in the Colonies as being, in his opinion, one of great extravagance, and one which he thought was a fair subject for selection in criticising this portion of the Estimates. He had said that there were eight or ten self-governed Colonies whose revenue exceeded their expenditure, and to which, therefore, they could apply the effect of his proposition as they might think proper. If the Colonies would not take the burden upon themselves of maintaining a proper number of troops, they ought to take the consequences. It had been resolved that the Colonies ought to bear their fair proportion of the cost of defending themselves, and in order to obtain some practical result from that Resolution he had moved this reduction of the Vote.

SIR EDWARD COLEBROOKE thought that the hon. Member had by his Motion put the question before them in a practical way, and he himself thought that it was extremely important that they should come to an understanding with the Colonies in reference to an expense which was so local in its character as commissariat establishments. He was not, however, so sure that his hon. Friend had chosen the best time for bringing his proposition forward. Many items of detail were already paid for by the Colonies; and if the Committee insisted upon their bearing a larger portion of the cost of the commissariat, the Government would find a way of bringing about an arrangement.

Mr. CAVE agreed with those who thought that the expenditure on the commissariat in almost all the Colonies was extravagant and ought to be cut down. But the gist of the hon. Gentleman's Amendment was that the Colonies ought to pay for their own defence. He thought the noble Lord the Member for King's Lynn put the matter in its true light when he said it was impossible to lay down any general rule on that subject. When Colonies required troops for their own defence, they ought to pay a portion of the expense; but troops might be employed in a Colony when the Colony itself did not want them. This especially applied to Colonies like New Zealand and the Cape, which were threatened by barbarous neighbours. In the early history of the Cape of Good Hope the colonists did defend themselves against the savage tribes around them; but the border warfare in the Cape, like border warfare in every part of the world, was attended with circumstances of atrocity on both sides, and this country insisted that hostilities should be carried on according to the rules of European warfare. Hence regular troops, and even a regiment of lancers, were sent into the Bush, at vast expense, and with unsatisfactory results. Now, if we insisted on Colonies defending themselves, they would demand the right of doing so in their own way and in the cheapest manner. Were we prepared to accede that to them? This was a serious question, and one which ought to be well weighed by the House before adopting any general proposition of this kind.

Mr. CARNEGIE said, he thought that the best way of preventing colonial wars, which entailed upon us so much expense, was to take care that it was not the interest of the Colonies to have such wars. At present it was the interest of a colony to have a war; for, however much individuals suffered, the Colony gained by men and money being brought into the colony. If the hon. Member for Taunton pressed his Motion to a division, he should certainly vote for it.

The CHAIRMAN said, that the Amendment, as at present framed, was for the omission of the commissariat and transport expenses alone.

Mr. ARTHUR MILLS said, that his intention was simply that the general Vote for the Military expenses of the colonies should be reduced by £80,000.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Motion made, and Question proposed,

"That a sum, not exceeding £1,143,936, be granted to Her Majesty, to defray the Charge of the Commissariat Establishment, Services, and Movement of Troops, which will come in course of payment during the year ending on the 31st of March 1864, inclusive."—(*Mr. Arthur Mills.*)

Sir GEORGE LEWIS said, that though the form of the Amendment might be altered, in substance it was still pretty much the same, as the hon. Member in his speech had touched almost exclusively on this item of £80,000. He had since explained that he wished the reduction to be applied only to those Colonies which had Houses of Assembly, and excluded the Crown Colonies. If it had been directed against the Crown Colonies, it would at least have been a practical Motion, since for them the Queen could legislate by Order in Council. But for the colonies having Houses of Assembly the Crown could not legislate, and the Amendment, if carried, would only throw on the Government a duty which they could not discharge. That could only be done by an Act of Parliament; and to call on any Colony to pay a certain sum into the Imperial Exchequer without their own consent was very like falling back on the old plan of taxing the Colonies. There were only two practical courses open to the House and the Government with respect to the diminution of colonial military expenses. One was for the House to legislate on the subject, which would be departing from the rule religiously observed since the American War; the other was to withdraw our troops from the Colonies. If the House would point out any Colonies where that could be done, the Government would then know how to act. But, instead of the thing being done by a side wind, the question of withdrawing our troops ought to be raised distinctly, and a Vote taken upon it.

Mr. MONSELL said, he understood the meaning of this Amendment to be that the hon. Member opposite was not satisfied with what the Goverment had done to carry out the Motion proposed by him last year on the subject of military expenditure in the Colonies to which they had assented. It was not just that the mother country should contribute to the expenses of any Colony which could perfectly well pay for itself, and he could not understand how any hon. Member who was really in favour of a reduction in our colonial military expenditure could vote against the Amendment of the hon. Member for Taunton.

MAJOR GAVIN said, that our soldiers did not wish to go to New Zealand or the Cape of Good Hope, but in the discharge of their arduous duties in a foreign climate they needed supplies, and he trusted the Committee would do nothing prejudicial to the interests of those gallant men.

Question put.

The Committee *divided:*—Ayes 65; Noes 71: Majority 6.

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £630,385, be granted to Her Majesty, to defray the Charge of the Clothing Establishments, Services, and Supplies, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."

COLONEL DICKSON moved that the Chairman report Progress, on account of the lateness of the hour (eleven o'clock).

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

SIR GEORGE LEWIS resisted the Motion.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. W. WILLIAMS then asked for an explanation of the item of £4,500 for machinery in this Vote for clothing establishments.

COLONEL DICKSON moved a reduction of £25,000 in the Vote. This was a Vote for the non-combatant part of the army, the expense of which was constantly increasing without any corresponding advantage to the soldier. The expense of the establishment at Pimlico alone for clothing, with allowance for the proper deductions, was £52,000. There were also various expensive officers connected with that institution, who raised the expense to upwards of £62,000. The same argument was applicable to all the new establishments of the same kind, many of which were utterly useless. The mere cost of superintendence was upwards of £8,000. The clothing of the army in France was under regimental officers, and nothing could be better managed. He therefore begged leave to move that this Vote be reduced by £25,000.

SIR GEORGE BOWYER said, it appeared there were clothing buildings at Pimlico and others at Woolwich. It was very objectionable to scatter these buildings about the country instead of having them in one place. The less the Government had to do with manufactures the better, for he believed that no Government establishment paid in a commercial point of view.

MR. PAGET said, that every obstacle was thrown in the way of manufacturers by the viewers. In one case the members of two firms in Nottingham were refused a contract to supply 30,000 pairs of cotton socks of a particular pattern, because the machinery was obsolete by which they were to be made. They afterwards found, that an article by no means identical with the pattern had been accepted from other contractors. This showed, that either the viewers did not know their duty, or else that they were accessible to improper influences. In another case, some pantaloon drawers were bought by the War Office, at a profit to those who supplied them of thirty-five per cent on the first cost. There was no man with the feelings of a gentleman to whom the manufacturers, if their goods were rejected by the viewers, could apply to say whether the goods were of the proper pattern or not. He trusted the facts he had brought before the Committee would induce the Government to make some change for the better in the present system.

SIR GEORGE LEWIS said, there was a diminution in this Vote, as compared with that of last year, of £36,000. The hon. and gallant Member (Colonel Dickson) had unintentionally exaggerated the expense of the establishments, by including the cost of new buildings and other works, to the amount of £20,000, for those items would not be annually required. Expense, of course, there must be in establishments of the kind where work was given out and received in again, and where a close inspection must be maintained. After considerable examination he had arrived at the conclusion that the work done at the Pimlico manufactory was most satisfactory; and, to say the least, colonels did not prefer the work of contractors. There was a small establishment at Woolwich for the supply of clothing to the Artillery and Engineers, which it was not considered advisable to give up. Very little work was done on the premises at Pimlico; most of it was given out to workwomen and men, who took it to their own houses, and the materials were carefully examined both before and after being made up. The process of inspection was an elaborate one, but the result was generally satisfactory. With respect to the observations of the hon. Member for Nottingham (Mr. Paget), he could only say that a few years back the pattern for hosiery was antiquated, and that fact excluded a considerable number of competitors from the tenders. But now a modern sort of sock had been selected, both for woollen and cotton hosiery, and he believed the inconvenience to which his hon. Friend had adverted did not exist.

Colonel KNOX said, he had the testimony of commanding officers of regiments to the satisfactory work which was turned out of the manufactory at Pimlico. He had at first been opposed to having an establishment of the kind conducted by Government; but he had heard so many officers express their approval of the work produced there, that he had come to the conclusion that it would be well if all the clothing of the army was made at Pimlico. He thought that the double system of private contractors and Government manufacturers should be got rid of, and one or the other adopted.

Lord LOVAINE said, no one who had compared the work done at Pimlico with that of the contractors could have a doubt of the superiority of the former; and as this work materially contributed to the health and comfort of the men, any money laid out upon the establishment would be well spent.

Mr. MONSELL trusted that the Secretary for War would appoint some one in whom he had confidence to compare the work produced at Pimlico with that of the contractors, and he was quite sure the latter would be found equal, if not superior. He spoke in the interest of several poor people of the city of Limerick, who were employed by the contractors; but he was quite willing to abide by the issue of such a comparison as he had urged the right hon. Gentleman to make.

Mr. MACEVOY said, that Government were making such large workshops it seemed as if they were about to become their own manufacturers. If that were so, he thought it ought to be stated so in the Vote.

Mr. CARNEGIE said, he did not object to the principle of the Government having a clothing establishment of their own, but said he found, on referring to the Estimates, that almost every officer employed at Pimlico had got an addition to their pay during the last year. It was in this way that establishments attained large proportions and became permanently expensive to the country. These persons might, perhaps, be worthy of the increased remuneration; but if the combatant part of the army had asked for an addition to their pay, they would have been told that the country could not afford it, or that others could be got to serve for the existing pay.

Mr. CAVE could understand the two hon. Members for Limerick taking this view, because the manufacture of army clothing formed an important branch of industry in that county. Mr. Tait, the Limerick contractor, had, as appeared from his evidence before the Weedon Commission, already a very large share of the contracts; but, being an ambitious man, he wanted to clothe the whole army. Now, as the right hon. Member for Limerick (Mr. Monsell) had pleaded the cause of the poor there, he (Mr. Cave) also asked for some slight share of the work for the poor people in different parts of the country, for it was a mistake to call the Pimlico establishment a factory; it was only a place where work was given out, inspected, and stored. The inquiry of 1858 proved that the Woolwich establishment, which originated during the right hon. Gentleman's tenure of office, had turned out far better clothing than any then known, and while paying better wages in consequence of getting rid of the piece-masters, had not raised the price to the country. He did not wish to see either the Government factories too greatly increased or the whole of the manufacture of clothing fall into the hands of large contractors. The two systems might exist together, and form a check on each other.

Major GAVIN opposed the item. All that his constituents asked for was competitive examination, the principle so much favoured in every department. An experience of twenty-four years in the army had satisfied him that the clothing made by contract was always the best.

Sir GEORGE LEWIS said, he should

be happy to furnish any facilities in his power for a comparison between contract clothing and clothing manufactured at Pimlico. But it was exceedingly difficult to institute a fair comparison between them, and it would be necessary, in the first instance, to settle the details on which the investigation could take place. He felt sure that the apparent advantages of any such comparison would appear at the first blush to be in favour of the Pimlico establishment.

LORD LOVAINE complained that the establishment at Pimlico was intended to work not only for the army, but for the Volunteer service, and also for convicts.

Motion made, and Question,

"That a sum, not exceeding £605,385, be granted to Her Majesty, to defray the Charge of the Clothing Establishments, Services, and Supplies, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive,"

—put, and *negatived.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported on *Monday* next.

Committee to sit again on *Monday* next.

CONSOLIDATED FUND (£10,000,000) BILL.

Bill to apply a sum out of the Consolidated Fund to the Service of the year one thousand eight hundred and sixty-three, *presented,* and read 1°.

BOROUGH RESIDENCE UNIFORM MEASUREMENT BILL.

Bill to define and render uniform the mode of measuring the Residence required for Electors in Cities and Boroughs, *ordered* to be brought in by Mr. COLLINS, Mr. PAGET, and Mr. AYRTON.

Bill *presented,* and read 1°. [Bill 60.]

TRUSTEES ACT AMENDMENT (SCOTLAND) BILL.

Bill to explain the Act for the Amendment of the Law relative to Gratuitous Trustees in Scotland.

Bill *presented,* and read 1°.

House adjourned at a quarter
after Twelve o'clock till
Monday next.

HOUSE OF LORDS,

Monday, March 16, 1863.

MINUTES.] — PUBLIC BILLS — *First Reading* — Leases and Sales of Settled Estates Act Amendment [H.L.] (No. 42).

Second Reading—Union Relief Aid Act (1862) Amendment (No. 35); Salmon Exportation (No. 39).

Third Reading — Malt Duty (No. 38), and *passed.*

LEASES AND SALES OF SETTLED ESTATES ACT AMENDMENT BILL [H.L.]

A Bill to amend the Settled Estates Act, 1856—Was *presented* by The LORD CHANCELLOR; and read 1ª. (No. 42.)

BLEACHING AND DYEING WORKS ACT AMENDMENT BILL.

Brought from the Commons, and read 1ª. (No. 43.)

UNION RELIEF AID ACT (1862) CONTINUANCE BILL—(No 35.)

SECOND READING.

Order of the Day for the Second Reading read.

EARL GRANVILLE said, he rose to move the second reading of this Bill, the object of which he would briefly explain. Their Lordships would remember that an Act was passed towards the close of last Session enabling certain unions of Lancashire, Cheshire, and Derbyshire to exercise borrowing powers with a view of meeting the prevalent distress under certain conditions. The different unions throughout the counties, with the assistance of charitable committees, had laboured diligently towards the mitigation of evils so extensively felt, and nine of the unions within the distressed districts had taken advantage of the Act and had either used the rate in aid power, or, the power of borrowing on the security of the rates. But, as their Lordships were aware, an immense amount of distress still existed. A large number of persons were supported by means of the rates, and he believed a still larger number derived assistance from those generous contributions which had been made from nearly all parts of the world in aid of the distress in the cotton districts, and without which it would have been absolutely necessary to exercise the borrowing powers in a much larger degree. He trusted, that the general prospects of the country were improving; but it was impossible to say when the crisis would be at an end, and in the mean time there was a great deficiency of the raw material. From week to week the supply was something like twenty as compared with forty-eight bales; and even if some of the mills were kept working half-time, it was impossible to suppose that such relief was generally extended, because, of course, a proportionately large supply of cotton was procured in particular places, while in others the operatives were almost unemployed. The employment thus afforded was, moreover, not a steady process; it depended very much on the price of the raw material and the value of the manufactured produce, and clearly also upon the expectations caused by political events. Consequently, it was necessary that the powers conferred upon unions by the Bill of last year should be continued, at all events, for two quarters; and, with some alterations which the experience of its working in the interval had suggested, the present Bill was a re-enactment of the measure of last year. The most important alteration was that the period allowed for repayment of loans borrowed under the Act was extended from seven to fourteen years; leaving unions to repay the amount voluntarily at an earlier date if they thought proper to do so. By the 4th clause provision was made for the cases of unions in more than one county; and by the 5th clause the parishes comprised within the Mansfield Union, in the county of Notts, were exempted from the operation of the 1st section of the Act. He believed their Lordships would cheerfully give their assent to this measure. He trusted there would be a continuance of the good conduct which had been so remarkable hitherto on the part of all concerned in this great calamity, and that the same co-operation which had been extended by individual effort to the exertions of the unions for the relief of distress would be apparent in the future as it had been in the past. This was a subject to which he could not allude without expressing his regret at the absence of the noble Earl (the Earl of Derby) whose exertions had been conspicuous in this national emergency. The noble Earl then *moved* that the Bill be now read 2^a.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

SALMON EXPORTATION BILL.

[NO. 39.] SECOND READING.

Order for the Second Reading read.

LORD STANLEY OF ALDERLEY, in moving the second reading of the Bill, said, the measure had passed through the other House of Parliament without opposition, and might be considered as supplementary to the Act of 1861. The operation of that measure had been most satisfactory. As their Lordships were aware, the sale of salmon was prohibited within a certain portion of the year; but the object of the prohibition, he was sorry to say, had been considerably evaded by the exportation of salmon captured in this country to various foreign countries. By this Bill it was proposed to enact that no salmon caught during the time at which the sale is prohibited in the district in which it is caught, shall be exported, or entered for exportation, from any part of the United Kingdom to parts beyond the seas. The infraction of this law would be visited with the penalty of £5 for every salmon, and the burden of proof was placed upon the intended exporter; and he thought it was a measure which would receive the assent of every one of their Lordships.

THE EARL OF MALMESBURY said, the object of this Bill clearly was to prevent salmon from being sold during close time, and he did not think they would succeed in this object unless they not only prohibited the exportation of the fish abroad (which exportation was very large), but prevented the importation of Dutch salmon into this country, as the poached salmon was frequently sold as Dutch salmon. The only way of stopping the consumption of this fish during the close season was by preventing both its importation and exportation. He was not prepared with any proposal to carry that out; but he made the suggestion for the consideration of the noble Lord between this and the period when they would go into Committee on the Bill.

LORD STANLEY OF ALDERLEY said, he would consider the point, and see if it was possible to introduce a clause into the Bill to carry out the object the noble Earl had in view, though he feared it was impossible to do so—namely, the prevention of the sale of poached salmon under the name of Dutch salmon.

THE EARL OF MALMESBURY observed, that there was an analogous case under the Game Laws. The ptarmigan, by the present Game Laws, could not be sold after the 10th of September; but the sale continued under the name of Norway game, though half the birds came from Scotland.

THE EARL OF DALHOUSIE trusted the noble Lord would not consent to prohibit altogether the importation of Dutch salmon.

Motion *agreed to;* Bill read 2ª accordingly. and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at a quarter before
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 16, 1863.

MINUTES.]—NEW WRIT ISSUED — For Lancaster County (Northern Division), *v.* Marquess of Hartington, Commissioner of the Admiralty.

SUPPLY—Army Estimates—*considered* in Committee; Resolutions (March 13) *reported.*

PUBLIC BILLS—*Second Reading*—Consolidated Fund (£10,000,000); Mutiny; Trustees (Scotland) Act Amendment [Bill 59]; Metropolis Turnpike Roads Act Amendment [Bill 47].

Committee—Hares (Ireland) [Bill 51].

Considered as amended—Post Office Savings Banks [Bill 22].

Third Reading—Naval Coast Volunteers Act Amendment (*Lords*) [Bill 55], and *passed.*

EDUCATION.

POSTPONEMENT OF MOTION.

MR. WALTER said, that an appeal had been made to him by his right hon. Friend the Vice President of the Committee of Privy Council for Education to postpone the Resolutions which stood in his (Mr. Walter's) name for Friday next, in consequence of an engagement of a much more agreeable nature, which was likely to occasion the absence of many hon. Members on that evening. As his right hon. Friend was of opinion that the discussion of the question could not be satisfactorily conducted under these circumstances, and would not lead to any conclusive result in the absence of the leading Members of the House, he (Mr. Walter) felt it his duty to accede to his request, and postpone the Resolution to the first day he could secure after the Easter recess.

OFFICERS OF THE EAST INDIA COMPANY'S ARMY.—QUESTION.

CAPTAIN JERVIS said, he would beg to ask the Secretary of State for India, Whether the Government has determined to appoint a Royal Commission to inquire whether the guarantee given to the officers of the late East India Company's Army by Parliament, by Act 21 & 22 *Vict.*, c. 105, and 23 & 24 *Vict.*, c. 100, has or has not been departed from?

SIR CHARLES WOOD, in reply, said, he felt the importance of the subject which the hon. and gallant Gentleman had given notice of his intention to bring before the House, but he (Sir C. Wood) thought the course proposed by the hon. and gallant Member of moving for a Select Committee of inquiry exceedingly inconvenient, as likely to lead to great delay. He needed not to say that the object of himself and colleagues was faithfully to fulfil the pledges given by Parliament. There was no question of the disposition of the Members of his Council, and especially the military members, to show every disposition in favour of their brethren in India, and he thought he should be able to satisfy the House that those pledges had not been in any way departed from; but, as no person was the best judge of his own case, he thought it desirable that an inquiry should take place by other persons. It was also most desirable that this should be done without delay. He had therefore recommended to Her Majesty, and Her Majesty had been graciously pleased to approve the recommendation, that a Royal Commission to inquire into the subject should be appointed. That Commission would comprise Members of both Houses of Parliament.

COLONEL SYKES: Will the officers who offer to be examined be received for examination before that Commission?

SIR CHARLES WOOD: That will depend upon whether the Gentlemen composing the Commission think it necessary.

SIR MINTO FARQUHAR: Will the Commission be composed exclusively of Members of both Houses of Parliament?

SIR CHARLES WOOD: I said "comprising Members of both Houses of Parliament."

COLONEL SYKES said, he wished to ask the hon. Member for Harwich (Captain Jervis) if he intends to bring forward his Motion relating to the grievances of officers in the Indian army to-morrow evening?

CAPTAIN JERVIS said, he could not, in common fairness to the officers who had intrusted him with the matter, postpone the Motion without the House having distinctly before it what sort of a Commission it was to be to which the subject was to be referred, what reference was to be made to that Commission, and what would be the order in which the inquiry would be carried out.

FIRES IN THE METROPOLIS.

QUESTION.

MR. PEACOCKE said, he would beg to ask the Secretary of State for the Home Department, Whether he will bring in his Bill upon the subject of Fires in the Metropolis before Easter; and, also, whether he has recently received an official communication from the Insurance Companies, stating that they do not mean to continue the present Fire Brigade any longer?

SIR GEORGE GREY said, such a communication had not been recently received. It was received last year, and was, he believed, laid before the House. It stated the desire of the Insurance Companies to be relieved from the charge now laid upon them of maintaining the Fire Brigade. He had been in communication with the representatives of those Companies, and other bodies, and he hoped he should be able to make an arrangement which would be satisfactory to them and conducive to the public interest. The arrangement was not yet complete, and he did not think it would be in time to enable him to lay the Bill on the table before Easter.

CAST IRON ORDNANCE.—QUESTION.

MR. KINNAIRD said, he wished to ask the Secretary of State for War, Which of the several plans proposed for rifling the existing cast-iron Service Guns has been reported by the Ordnance Select Committee to be the best; whether the Government intend to introduce the improvement into the Service without delay; and whether the Report of the Ordnance Select Committee on this subject will be published?

SIR GEORGE LEWIS, in reply, said, as a general rule the Reports of the Ordnance Select Committee were regarded as confidential. This, however, was a subject which had created a great deal of interest in the public mind, and he saw no reason why, with regard to it, the rule should not be relaxed. Therefore, if his hon. Friend would move for the Report it would be given. He might add, that the Government was not disposed to give effect to the principle of rifling cast-iron guns. But if they were to do so, it would be on the plan of Mr. Bashley Britten. That was the plan they would prefer.

TOBACCO DUTIES BILL—[BILL 56.]

QUESTION.

MR. CRAWFORD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is his intention to subject Tobacco to an examination of quality, with reference to the imposition of Differential Duties in the same manner as Wine?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that some persons connected with the Tobacco trade were labouring under the apprehension that there was an intention to adopt a system analagous to that which was adopted in the case of Wine three years ago. That was a system impracticable to be administered, and entailed such additional difficulty and responsibility on the Revenue Department that they and the Government were as much opposed to it as the trade. The object of imposing a special increase of duty on Tobacco with less than a certain degree of moisture was simply to meet certain cases, where special processes were used for producing an artificial degree of dryness, and thereby evading the law. It was to such special cases that the increased duty was meant to apply. He was not aware of such special cases occurring except in the traffic between the Channel Islands and this country. It existed there to a very limited degree, but its amount might very much increase if precautions were not taken. With respect to the general importation of Tobacco, there was no intention whatever to apply a system of the kind.

ENDOWED SCHOOLS BILL—IRISH CHURCH.—QUESTION.

In reply to a Question from Mr. WALPOLE,

MR. DILLWYN said, he should put off the second reading of the Endowed Schools Bill, which stood for Wednesday next, until about the end of April or the beginning of May. With regard to the Motion respecting the Irish Church, which stood in his name for to-morrow, he should, in order to meet the convenience of Irish Members, put it off until after Easter. He proposed to bring it on upon the second Tuesday after Easter, if he should find that day open.

ENGLISH POLICE IN POLAND.

QUESTION.

Mr. HENNESSY said, he would beg to ask the Secretary of State for the Home Department, in reference to the papers which had been published as to the employment of English Police in Poland, Whether the Detectives who were employed in Warsaw sent to Sir Richard Mayne any letter or document beyond those which had been published, and whether Sir Richard Mayne sent any reply to such letter or document? The document he referred to was a letter asking for an extension of leave of absence, and stating certain reasons for making such a request. He also wished to ask the right hon. Baronet, what was the precise date at which the two officers Walker and Whicher were sent to Warsaw; what was the date when the Russian authorities stated that they no longer required their services, and the date of their return? Perhaps the right hon. Gentleman would also inform the House what was the name of the gentleman alluded to in Baron Brunow's note dated 31st of July, when he said—

> "The first step to be taken would be to allow Sir Richard Mayne to put himself in communication with a gentleman to whose care the Grand Duke has directly and privately intrusted this object, so intimately connected with the success of his own administration."

Sir GEORGE GREY: I cannot tell, Sir, the name of the gentleman; I never saw him, and had no communication with him. With regard to the reports made by the police, I have already stated, that the only written report which Sir Richard Mayne received from the two officers—whom the hon. Gentleman always calls detectives, but one of whom, as I have already said, was a Superintendent of the A division, and not a detective—the only report which Sir Richard Mayne received was the one which has been laid on the table. They left this country, I think, on the 6th of August, and they returned in the first week of October. They would have returned sooner but for the serious illness of one of them, which delayed them several weeks.

Mr. DARBY GRIFFITH: Did the right hon. Baronet communicate on the subject of Baron Brunow's letter with the Foreign Secretary, or with the First Lord of the Treasury?

Sir GEORGE GREY: No; the act was done entirely on my own responsibility.

ORDERS OF THE DAY.

On Motion of Viscount Palmerston.

Ordered, That the Orders of the Day be postponed till after the Notice of Motion relative to Greece.

GREECE.

FURTHER CORRESPONDENCE MOVED FOR.

Mr. BAILLIE COCHRANE: I rise to move for certain papers relative to the affairs of Greece. The circumstances that Mr. Elliot has returned from his special mission without any information as to its results having been laid before the House, that the Duke of Saxe-Coburg has definitively declined to accept the throne of Greece, and that the state of the country is at this moment excessively critical, amply justify me in calling the attention of the House to this question. Hon. Members are doubtless aware that we are particularly interested in the affairs of Greece, but may not know to what extent. They will understand that better when I state that the unguaranteed debt of Greece, together with the unpaid interest, amounts to £7,000,000, and that the guaranteed debt in connection with the loan of 1832 is about £2,000,000, on which there is about £900,000 of unpaid interest, and of which our share comes to £800,000. It is clear, therefore, that we have a very deep interest in the good government of that State. Moreover, the House cannot be ignorant of the universal sympathy which Greece has shown towards this country by the unanimous vote of the people for Prince Alfred. Seeing, then, that she has thrown herself entirely on our protection, and thereby forfeited the goodwill of France and Russia, it is right we should ask how Her Majesty's Government have fulfilled the obligation thus imposed on them, and how far they have exhibited that fairness, truthfulness, and consideration which Greece had a right to expect at their hands. I regret to be compelled to say that the conduct of the British Government has not been just or generous, and that the Greeks are suffering now, and will suffer still more, from the policy which we have pursued in regard to their affairs. That statement I am prepared to prove. I am bound to say that I think Earl Russell is chiefly to blame for this. Remembering, as I do, how earnestly and cordially the noble Viscount at the head of the Government, has in days past advocated the Greek cause, I cannot but feel assured, that had he now held the seals of the Foreign Office, the present difficulties would not have occurred, and I am even led to doubt whether the noble Viscount really knows the whole truth in regard to the conduct of that Department. I will now ask the attention of the House to some facts, which I will state as briefly and precisely as possible, in support of the charge I have to make against Earl Russell. The change in the Government of Greece occurred last October. Immediately afterwards Earl Russell communicated with the French and Russian Governments urging upon them that the Protocols and Treaties of 1829, 1830, and 1832, by which any member of the reigning families of the three Powers was prohibited from occupying the throne of Greece, should be held binding. The Russian Government agreed at once to this proposal, but the French Government did so with a great deal of reserve. On the 4th of December M. Drouyn de Lhuys wrote as follows :—

> "'In one sense we admit that circumstances are not absolutely identical. The three Powers were then empowered by a formal delegation of Greece to dispose of the Crown ; now the Greeks make direct use of their sovereign power ; and France, England, and Russia may have decided upon exclusions to which they are reciprocally bound, without being justified, perhaps, in compelling the Greeks at this moment to adopt their views. . . . . Nor do I pretend that this restrictive clause of the protocol is rigorously applicable to the present state of things.'"

That despatch is important, because it proves that but for Earl Russell's interference these protocols would not have been held binding, and the Greeks would have had the option of electing the Duke de Leuchtenberg, the Duke d'Aumale, or any one else. On receipt of the above letter Earl Russell wrote, on the 6th of November, to our Ambassador in Greece in these terms—

> "Her Majesty's Government have no desire to influence the decision which the Greeks may come to as to the choice of their new Sovereign, except to remind them that by the agreements and engagements concluded in 1832 between England, France, and Russia, no person connected with the Royal or Imperial Family of either of the three Powers can be placed upon the throne of Greece."

Mr. Scarlett's letter, to be found at page 50 of the Correspondence, was in reply to a communication from the noble Earl, and was as follows :—

> "Upon the receipt of your Lordship's telegram, dated November 3, which reached me on the 10th instant, reminding me that by the Treaty of July 6, 1829, and Protocols of April, 1827, and February, 1830, both Prince Alfred and the Duke of Leuchtenberg would be equally excluded from becoming candidates for the throne of Greece, I lost no time in communicating to M. Diamantopoulos the necessary information on that subject. . . . . . I said I really could not perceive at this moment any chance whatever of the acceptation by Prince Alfred of the throne of Greece."

Thus far nothing could be more correct than the conduct of the Foreign Secretary ; but the importance of Earl Russell's Despatch is to be ascertained only from reading Mr. Scarlett's letter of the 17th December. Mr. Scarlett wrote to his Lordship—

> "I observe in some of the newspapers lately received from England that Her Majesty's Government is blamed for not announcing sooner to the Greeks that His Royal Highness Prince Alfred could not accept the throne, and that I ought to have been instructed earlier on this point. To this it may with perfect justice be replied, that at the very outset of this movement your Lordship did instruct me to state to the Greek Government the belief of Her Majesty's Government that both Prince Alfred and the Duc de Leuchtenberg were excluded under the Protocol of 1830 ; an instruction which I did not fail to carry immediately into effect by reading both your Lordship's telegrams and despatch to the Minister for Foreign Affairs of the Provisional Government."

The only despatch of the noble Earl to which Mr. Scarlett could have referred, is that in which he was desired to write at once to the Greek Government to put a stop to the candidature of Prince Alfred. Directly after November 6, however, a great change took place. Earl Russell became acquainted with two very important facts. He learned from Mr. Scarlett that Prince Alfred was universally popular in Greece, and from Russia that that Power, while recognising the binding effect of the protocols, did not deem the Duke de Leuchtenberg to be within their scope. Upon this Earl Russell, who, while under the impression that Prince Alfred and the Duke de Leuchtenberg were alike excluded, had distinctly pointed out to the Greek Government that the protocols were binding, felt it necessary to reconsider his position ; but if he saw no possibility of Prince Alfred being allowed to accept the throne, he ought to have intimated as much to the Greeks in the plainest and most distinct manner. After the decided language which Mr. Scarlett had held to the Foreign Minister of Greece, it is clear that any extenuation of the view originally expressed would be misunderstood by the Greeks, and would lead the people to suppose that Prince Alfred would be allowed to assume the crown. Hence it was of the utmost importance that there should be no ambiguous communications on the subject, and that the fatal candidature of His Royal Highness should not be allowed to proceed. On November 17 Earl Russell wrote to Mr. Scarlett as follows:—

"I have received your telegram of the 10th inst., reporting that the Provisional Government of Greece considered the renunciation by the Powers parties to the Treaty of 1827, in regard to the Sovereign of Greece being chosen from among their families, to have no longer a binding effect after the fall of the Bavarian dynasty, which is considered to be complete; and that a strong feeling prevails throughout the country in favour of the election of His Royal Highness Prince Alfred to the vacant throne, in which case the provisions of the 40th Article of the Constitution, in regard to the religion of the successor to King Otho, would not be allowed to stand in the way of His Royal Highness's assumption of the sovereignty. In reply to your request for instructions as to the course you should pursue in this state of things, I have to desire that you will not interfere in regard to the election of the future Sovereign of Greece without direct instructions from Her Majesty's Government. Their desire is that the Greeks should be left free to choose their own King. With regard to the obligations of the three protecting Powers towards one another, I may have further communications to make to you."

How was this received by France and Russia? M. Drouyn de Lhuys, in a despatch dated December 4, says the English Cabinet

"appeared to see, in the hesitation of Russia in explaining whether the Duke de Leuchtenberg was in her sight comprehended in the stipulations of exclusion, a circumstance which might release her from her own engagements, and give her entire freedom of opinion. The candidature of Prince Alfred, which the semi-official organs of the English Ministry no longer rejected, assumed from that moment a new character. Interrupting the prolonged silence of the British Government, the Greeks appeared to consider it an implicit assent, and European opinion no longer asked if prince Alfred would be elected, but if England would accept for him the Hellenic Crown."

Prince Gortschakoff, writing on the 2nd of December, says—

"The rapid march of events in Greece seemed to have inspired the conviction, that if England took from the Hellenic people all hope as to the candidateship of an English Prince, the public sentiment would inevitably bear towards a Russian Prince; and thus the Government of Her Britannic Majesty believed themselves authorized in not discouraging the sympathies which were manifested in Greece towards the candidateship of Monseigneur the Prince Alfred."

In a despatch, dated December 7, Lord Napier says—

"In the course of my conversation with the Vice Chancellor His Excellency alluded again to the contrivances and incitements by which the alleged candidature of His Royal Highness Prince Alfred had been promoted in Greece, to electioneering arts, to the exhibition of specious inducements, the encouragement of hopes, and the distribution of gold. His Excellency did not say that these practices were directed by Her Majesty's Government, but he seemed to refer them generally to English instigation, and to the agency of persons in authority under Her Majesty's Government."

Let us now see what Mr. Scarlett did upon the receipt of the despatch from the Foreign Office. There was great excitement in Athens, and portraits of Prince Alfred were carried about the streets in procession. Writing on the 24th of November, Mr. Scarlett says—

"On Saturday evening, after I had dined at home, I was informed by several gentlemen who came in to see me, that a demonstration was actually even then gathering in the streets, and on its way to my house. In about twenty minutes after not less than 2,000 persons, consisting many of them of students and professors, and the most respectable townspeople, with a few cavalry and infantry, assembled in the space in front of the Legation, crying out, 'Long live Prince Alfred, the future King of Greece!' As the crowd showed no intention of retiring from their position, I opened the window and stepped out on the balcony, where I was received with the greatest possible enthusiasm; the portrait of His Royal Highness was exhibited to me from the roof of a carriage in the centre of the procession; the people bore aloft lighted torches, and Bengal lights were burnt to render the scene more imposing. As soon as silence was restored, I shortly thanked them all, in English, for the honour they had done to His Royal Highness, and expressed the sympathy I felt for the Greek nation. I asked a Greek gentleman, M. Bondoyris, who had just come into the house, to translate the words I had used, which were well received, and they went away loudly cheering."

It was evident, therefore, that the words spoken by Mr. Scarlett could not have conveyed the notion that Prince Alfred would not accept. Further on, in the same despatch, he gives the following account of another demonstration:—

"Yesterday, Sunday, a still larger demonstration appeared about three o'clock before the British Legation, consisting not only of the same people, but also of a large number of persons who had come up on purpose from the Piræus to Athens to take part in the ceremony. On a platform placed on the top of a carriage were displayed, on this occasion, not only the portrait of Prince Alfred, but also those of Her Majesty the Queen, the Emperor of Russia, and the Emperor of the French. The crowd was fully as orderly and well-conducted as that of the preceding evening. Nearly the same proceedings took place; I was addressed in the same manner, and spoke on this occasion to the same effect, adding that I felt bound to continue my reserve with regard to the name of Prince Alfred, whose acceptation of the throne of Greece depended on considerations which I was unable then to determine."

Surely that was holding out hopes to the people that the Prince would accept the throne! At various places in Greece, our Consuls spoke very much to the same effect. At the Piræus Mr. Neale said—

> "You naturally turn to the free British nation, who in Her Majesty Queen Victoria have been in possession of this inestimable blessing, and the choice of your hearts is fixed on the sailor Prince, Prince Alfred."

It was evident from the tenor of those despatches at this time that the people of Greece believed that the question was still open, whether Prince Alfred would or would not eventually accept the throne. The noble Lord expressed himself in anything but a positive tone upon this subject. If he had, is it to be supposed the people of Greece would have continued to act as they did, under the persuasion that the British Prince might ultimately occupy the throne of their country? I now turn to a remarkable despatch. It is to be found in page 60 of the Correspondence. It appears that Lord Russell had a conversation with M. Tricoupi, on the 29th of November, and that the noble Earl reported that conversation to Mr. Scarlett. In pointing out to him the several reasons which would prevent the acceptance of the throne by Prince Alfred he proceeds as follows:—

> "There are other considerations besides those which I thought it proper to communicate to the Chargé d'Affaires of Greece which influence Her Majesty's resolution on this subject. It is Her Majesty's duty to look to the due succession to the Crown. Prince Alfred stands next to the Prince of Wales in the order of succession, and is heir-presumptive to the Duchy of Saxe-Coburg and Gotha. Among the contingencies which are far from being impossible, it might happen that the sons of Prince Alfred, after being brought up as members of the Greek Church, might be called upon to ascend the throne of England. It is necessary to provide against chances of this kind, and you will therefore not be surprised to learn that it is Her Majesty's fixed determination not to give her consent to the acceptance by his Royal Highness Prince Alfred, or any other of Her Majesty's sons, of the Crown of Greece."

Why were these considerations not stated before? Why did not Earl Russell express himself with as much frankness to M. Tricoupi? I will tell you. Our Government were then negotiating another protocol with France and Russia, for the exclusion of the members of the reigning families, and it would not have been convenient at the moment to let the whole truth be known. With these facts before the House I think I am justified in characterizing this conduct of the noble Earl as neither just nor fair to the Greek nation. In private life a transaction characterized by such duplicity and want of candour, would be stigmatized in very severe language, and the most disagreeable epithets would probably be applied to the offending party. Hitherto I have depended solely on public documents; but I have received a great many private letters from Greece, and two of them, which I received this morning, are so important that I may be permitted to read portions of them. I am not at liberty to give the names of the writers, who are persons of great authority in Greece, but I shall be glad to communicate them in confidence to the Under Secretary for Foreign Affairs. The first, dated November 25, says—

> "The name of Prince Alfred makes every heart vibrate; what a happiness will it be for the country to have the son of an English Sovereign on the throne! His name will be a guarantee and pledge for the future. We know well that England has an interest in befriending us, and it is this knowledge that leads us to give full faith to the assurances which we receive from her agents here that the Prince Alfred so loved and so desired will accept the throne."

The next letter shows what the feeling now is towards our English. It is dated January 18, and runs as follows:—

> "You tell me of the enthusiasm of the English for us, but we are not satisfied of this; it is through the English Government we are in this deplorable condition. On the eve of a massacre, we live in perpetual alarm. We were permitted to indulge the idea that Prince Alfred would be allowed to go to Greece, and thus we have lost the support of the other Powers."

Having materially injured the Greeks while pretending to assist them, our Government at length set to work to make them ridiculous. Now, one fact is clear. In December Mr. Elliot was sent to Athens on a special mission; he arrived on the 23rd, and on the following day made the first official announcement to the Provisional Government that Prince Alfred could not accept the Throne. But here let me notice a curious incident. On the 9th of February, in reply to a question, the noble Viscount at the head of the Government made the following statement in this House:—

> "The Greek question at present stands thus:—The Greek nation fixed upon the election of Prince Alfred, son of Her Majesty, and it was only yesterday that the Greek Minister communicated that decision to my noble Friend at the head of the Foreign Office. To that, of course, the answer given was in conformity with the announcement in the Speech; but no other candidate has yet been proposed to the Greek nation in any formal manner. The Duke of Coburg has been sounded privately on the subject, for the purpose of ascertaining whether, in the event of being proposed or elected by the Greek people, he would

accept the throne, and the Duke of Coburg has declined to be put in nomination for the throne of Greece." [*Ante*, p. 194.]

Now, *The Times* special correspondent, writing from Athens on the 31st of January, reported that—

> "On Tuesday last Mr. Elliot received a telegraphic message stating that Duke Ernest of Saxe-Coburg was ready to accept the Crown of Greece if it were offered to him; that he was warmly supported both by France and England; that he would retain his paternal dominions; and that, having no children, he reserved to himself the right of proposing at once to the Greek nation a successor who was ready to adopt the orthodox religion."

[Mr. LAYARD was understood to dissent.] The hon. Gentleman shakes his head, and, of course, the documents which have been sent to me may be wrong. But on the 5th of February Mr. Elliot made this speech to a Greek deputation which had waited on him—

> "I am charged by my Government to notify to the Provisional Government of Greece that Her Majesty's Goverement have, with the concurrence of the Emperor of the French, agreed to recommend the Prince Ernest of Saxe-Coburg as a suitable candidate for the throne of Greece. The Emperor eagerly accepted this proposition made by England, and Prince Ernest accepts the throne that is offered him, on the condition that he shall continue to hold, so long as he may consider it desirable that he should do so, his hereditary estates. The Prince, once proclaimed King of Greece, will propose to the National Assembly as his successor one of the sons of his cousin Augustus and the Princess Clementine, daughter of Louis Philippe, late King of France. This Prince is seventeen years of age, and will be educated in the faith of the orthodox Greek Church."

From the answer given in this House by the noble Lord, it would really appear as if he had not been acquainted with what was going on in Greece. At all events, if the Duke of Saxe-Coburg had then decidedly declined to accept the throne, it was most inconsistent that Mr. Elliot should thus have trifled with the Greek people. And what does the House suppose was the effect of this? I will take the language of the City Article of *The Times* on this point. On the 25th of February the writer in that journal says—

> "Greek Bonds are again an eighth lower, and the mortification of the unfortunate holders who made investments at 24, on the faith of the unqualified announcement by the British Government regarding the Duke of Coburg, is increased by the fact, not merely that the manner in which they were misled has never been thought to call for explanation or apology, or caused even a question to be asked in Parliament, but that the affairs of Greece seem now wholly to be discarded for other questions, the country being left to drift into republican anarchy. In the absence of any light to the contrary, the universal feeling in the City is that a more lamentable instance of mismanagement has not often been witnessed."

That is the opinion which was entertained in the City in regard to the conduct of Mr. Elliot, which certainly requires the fullest explanation. But let the House mark the consequences in Greece itself. The Greek Government scarcely knew what to do. I hold in my hand a list of the candidates for whom the Greek people voted, and among the names are Prince Napoleon, "a Republic," a Russian Prince, Prince Ypsilanti, General Garibaldi, the Duke d'Aumale, General M'Mahon, and many others. About 230,000 votes were given for Prince Alfred. I am surprised that one right hon. Gentleman's name opposite is not mentioned among the candidates. The Chancellor of the Exchequer has no idea of his popularity in Greece, and I can only assure him that if he went there, he would find the finest field for his financial abilities. Indeed, there is no end of the candidates whose names were put forward. A Mr. Godfrey de Bouillon was suggested, as was also a Mr. William Cecrops, who claimed his descent from the second daughter of the ancient founder of Athens, and had the advantage of an English education as well as an English Christian name. I come now to another point connected with the same system of trifling upon this question which has created so much dissatisfaction. When Mr. Elliot went to Greece, it was natural for Lord Russell to suppose that his policy would give great dissatisfaction; and the course hit upon for getting rid of that feeling seemed to be by a sort of *coup d'état*—namely, by a proposal to cede the Ionian Islands. This was meant as a mode of keeping the Greeks quiet, and it has had that effect. I have heard it said by Greeks, "You must be very cautious how you deal with this question. The English Government have behaved very badly in the matter; but if you say too much about it, we shall never get the Ionian Islands." Mr. Elliot arrived at Athens, and in an extraordinary sentence, interlarded with more "ifs" than I recollect ever seeing in the same space, he promised that the Ionian Islands should be given up to Greece. He said—

> "If the new Assembly of the representatives of the Greek nation should prove faithful to this declaration, should maintain constitutional

monarchy, and should refrain from all aggression against neighbouring States, and if they should choose a Sovereign against whom no well-founded objection could be raised, Her Majesty would see in this course of conduct a promise of future freedom and happiness for Greece. In such case Her Majesty, with a view to strengthen the Greek Monarchy, would be ready to announce to the Senate and representatives of the Ionian Islands Her Majesty's wish to see them united to the Monarchy of Greece, and to form with Greece one united State; and if this wish should be expressed also by the Ionian Legislature, Her Majesty would then take steps for obtaining the concurrence of the Powers who were parties to the treaty by which the seven Ionian Islands and their dependencies were placed as a separate State under the protectorate of the British Crown."

I cannot help thinking that it would have been better to wait till a constitutional monarchy had been formed, and the opinion of the people of the Ionian Islands taken, before making any such promise as that. This is the reflection that might occur to any man, unless, as I have said, the proposed act of cession was a sort of sugarplum thrown to the Greeks to pacify their very natural dissatisfaction at the treatment they have received. But I ask, are the Greeks being deceived even now in this matter? I find this statement in a telegram from Vienna, dated March 6, and published in *The Times*—

"Advices received here from Corfu to the 3rd instant, announce that the Lord High Commissioner has prohibited the assembling of a meeting in favour of the union of the Ionian Islands to Greece, which was to have been held under the presidency of the Archbishop. The Lord High Commissioner at the same time intimated, that should further similar demonstrations take place, they would be suppressed by the police. The same advices add that the committee of the meeting will protest against these proceedings to the English Ministry."

Now, what can the Greek Government think of the conduct of Her Majesty's Ministers in respect to this matter? In many of Earl Russell's despatches he strongly insists that there must be an entire absence of territorial encroachment on the part of the Greek nation. It is extraordinary that it did not suggest itself to that noble Lord that the annexation of the Ionian Islands to Greece had an important bearing on the position of Albania, Thessaly, and Candia. In 1861 the Chancellor of the Exchequer, speaking with the eloquence and energy he always displays, said—

"Consider again the bearing of this union of the Ionian Islands, if it took place, upon the condition of what I may call the Greek provinces of Turkey. What! Are we to say to the people of the Ionian Islands, it is so intolerable that you should remain apart from the kingdom that has its capital at Athens; and could we at the same time say, to the people of Candia, Thessaly, and Albania, a Christian Protectorate was too bad for others, a Turkish domination is good enough for you." [3 *Hansard*, clxii. 1688.]

Yet my right hon. Friend, having by his own arguments proved that this cession must be followed by encroachments upon Turkey, is now a party to the proposed surrender of these Islands, and at the same time the Government of which he is a member wishes to discourage the *grandes idées* of the Greeks. On the same occasion the Chancellor of the Exchequer said—

"The Greeks do entertain a strong sentiment of nationality, and do desire that the day may come when the Greek race shall be again united and powerful. And, Sir, I confess it grieves me to the last degree when I see, as I occasionally do see, that sentiment on the part of this long unhappy and often oppressed people treated in this country with ridicule and scorn. We assume the care of a people who have been for centuries in the most unfortunate circumstances, and who have always been subject, in one form or another, to foreign domination—we couple that assumption with an express recognition of their independence—we find that they retain the memory of the glorious origin from which they sprung; and then that very sentiment, which is in truth the badge, the proof of national, political, and moral life among them, and their best hope and pledge for the future, we set up, and expose as the butt for wanton, cruel, and, I must say, dastardly ridicule." [3 *Hansard*, clxii. 1683.]

These are noble words—words which associate the right hon. Gentleman with the warmest sympathies of the Greeks; and, possessing the support of that right hon. Gentleman, and also of another very eloquent man across the channel—the Count de Montalembert—who spoke the other day in glowing terms of the future development of that race, Greece may well cherish hope. This I will say, that looking to future eventualities in the East, I, for one, must express my great regret that Prince Alfred was not allowed to accept the throne of Greece. I assure the House that this is no party question. I have not had the honour of speaking to hon. or right hon. Gentlemen below me upon it. My only desire is that justice may be done to Greece, and I only hope that it may be done through the noble Lord's Government. I have been requested to read to the House this letter from the Chairman of the Committee of holders of Greek Bonds of 1824 and 1825—

"Sir,—It having been announced that you intend bringing the present condition of Greece to the notice of Parliament, the Committee of the Greek Bondholders in England cannot forbear offering their warmest thanks for your valuable exertions on behalf of that country.

"Prince Wilhelm the younger, brother to the Princess of Wales, has many advantages as a candidate for the throne of Greece. His Protestant religion is in his favour; he is in the naval profession—a great point for a maritime people; he is not connected by descent with any of the three allied guaranteeing Powers. Denmark has a purely constitutional Government, and, further, it enjoys the advantage of having a very high character in financial matters; and we have a right to suppose that he would take with him the *prestige* of the good name which his country bears, and restore the credit of Greece."

Having submitted these facts to the House, and pointed out the actual condition of Greece, and the great responsibility that hangs over her future, I ask, am I not justified in saying that Her Majesty's Government have not treated the people of Greece with justice and good faith? The first formal act of their political existence was to place the dignity, honour, and independence of the country under the protection of Great Britain. They exhibit now the same feeling of touching affection towards this country. Prince Alfred was spoken of throughout his candidature as a son of the beloved and widowed Queen of England; but, I must repeat, the Government have not acted fairly towards them. It might have been perfectly right to have protested against the election of a Russian Prince, to have renewed those protestations, and to have stated that Prince Alfred could not accept the throne of Greece; but it was not right to deceive the Greek Government and people, who had trusted in them, for the sake of a diplomatic victory, at the same time casting the people of Greece into all the dangers of an untried future. For these reasons I ask the Government not only to explain their conduct in the past, but also the course they intend to pursue for the future. I beg leave to move for these Papers.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of further Correspondence relating to the Affairs of Greece."

MR. GREGORY said, he had followed the observations of his hon. Friend with much pleasure, and in that portion of them in which he regretted the existing untoward state of Greece he entirely concurred. He sympathized in his generous aspirations with regard to the future condition of Greece; but the sentence in which he uttered those aspirations was concluded with the expression of a wish that Prince Alfred had been permitted to ascend the throne of Greece. Now, having regard both to the interests of England and Greece, he must say he thought the Government had been right in the course they had pursued. Independently of those considerations that were pointed out in Earl Russell's Despatch, they could not shut their eyes to the fact that jealousies must have arisen by his succeeding to the throne, that complications of a grave character might have been produced, and that most dangerous precedents might have been established for future thrones to be occupied or made for other Royal or Imperial Princes. Not only so, but they should bear in mind that Prince Alfred was but a young and inexperienced man; that if he had gone to Greece, he must either have had to go alone, or had the assistance of English advisers. Had he gone alone to Greece he might, from his inexperience, have fallen into the hands of those who would have rendered him unpopular; and, on the other hand, had he gone to Greece accompanied by English advisers, although they would, no doubt, have been different to the Bavarian advisers who were with Otho, yet it was well known that the interference of foreigners was apt to irritate, and in a moment of some popular outbreak Prince Alfred might have lost the throne of Greece. An act of great humiliation would thus have been inflicted on England, and a most pernicious and hostile feeling excited towards Greece in this country. There was another point in which he differed from his hon. Friend. He (Mr. Gregory) maintained, that from the very beginning of this business to the end, Government did not hold out any hopes that Prince Alfred would be allowed to accept the throne of Greece. It was important to refer to dates. On the 27th of October the insurrection broke out in Athens, and Mr. Scarlett immediately telegraphed to the Foreign Office. On the 28th another telegram was sent to the Foreign Office conveying the intelligence of the successful issue of the revolution, and it appeared from the papers now placed before them, and from Mr. Scarlett's own statement, that so far from the Government being privy to any impression that Prince Alfred would be permitted to accept the throne of

Greece, the contrary impression was conveyed both by the letter of the 6th of November and the telegram immediately sent on receiving intelligence of the revolution. There could not be better testimony on that point than Mr. Scarlett's own clear and decisive representation of the case at page 119. He says—

> "I observe in one of the newspapers lately received from England that Her Majesty's Government is blamed for not announcing sooner to the Greeks that his Royal Highness Prince Alfred could not accept the throne, and that I ought to have been instructed earlier on this point. To this it may with perfect justice be replied that at the very outset of this movement your Lordship did instruct me to state to the Greek Government the belief of Her Majesty's Government that both Prince Alfred and the Duc de Leuchtenburg were excluded under the protocol of 1830—an instruction which I did not fail to carry immediately into effect, by reading both your Lordship's telegrams and the despatch to the Minister for Foreign Affairs of the Provisional Government."

Thus, then, at the very beginning of the revolution, and down to the present time, the course pursued by Her Majesty's Government had been perfectly clear and above-board in regard to the candidature of Prince Alfred, contrasting most favourably with the shifty, and not to mince the matter, double dealing of the Russian Government. On this point also he entirely differed from his hon. Friend, although no doubt they had both the same object in view—namely, the prosperity of Greece. He thought nothing could be more detrimental than that Greece should lose all confidence in England, and he therefore thought it unfortunate that his hon. Friend should endeavour to persuade Greece that Her Majesty's Government had played her false from the beginning to the end of these transactions. Before leaving this part of the discussion he could not help referring to one passage in this correspondence, which was so entirely characteristic of the style of the Foreign Minister, that he ventured to say if it were thrown on the table with five hundred other diplomatic extracts, it would be singled out at once as coming from his pen. It occurred at page 84. Earl Russell was referring to the quibble raised by Count Bloudoff, that, "juridically, he did not consider the Duke of Leuchtenburg excluded by the terms of the protocol, though politically he might be so," and he said—

> "The judicial doubt raised by Prince Gortschakoff, and repeated by Count Bloudoff, seems at length to have been resolved by the unbought popularity of Prince Alfred, and the determination of the British Government, that the protocol should not hold good for excluding an English Prince and be deemed invalid for excluding a Russian."

Well, he (Mr. Gregory) did not find fault with the noble Lord for this little bit of smart writing. The noble Earl had fought very boldly and stoutly against the Russian diplomatists; and if on achieving a very legitimate triumph he flapped his wings a little, such exultation was, of course, very natural. But he (Mr. Gregory) wished to ask his hon. Friend the Under Secretary of State a few questions, and he hoped he would take a note of them. The first was, whether since the Foreign Office had been under its present *régime* there was any particular axiom or rule laid down, that when any extremly difficult matter in foreign affairs had to be conducted, the ordinary diplomatic agents were to be set aside, and the management handed over to a gentleman of one particular family? He meant the family of Elliot—that is, the Elliots with two l's. His hon. Friend would see that there was good reason for asking the question, as he would recollect that a noble Peer bearing that name was sent to Italy in 1848—a difficult and dangerous time—in order to instil into that country an appreciation of the advantages of constitutional government. Of late, when Italy was passing through a very severe ordeal, requiring a man of great ability in communication with the Government, it was proposed to supersede Sir James Hudson, and to replace him by a gentleman of the name of Elliot; and on this occasion he (Mr. Gregory) presumed Mr. Scarlett was considered unequal to the emergency, and a Mr. Elliot was sent out in his place. Mr. Elliot gave his own account of his tour and arrival in Greece. On the 23rd of December Mr. Elliot arrived at Athens, and forthwith held communication with the head of the provisional Government. He said, "Here I am." He opened his budget and said, "This is what I have; I have the King of Portugal in one hand, and the Ionian Islands in the other. I have brought them both to you." The Greeks certainly did not seem to have received that intimation with any great degree of enthusiasm. But Mr. Elliot was evidently a man of considerable power of persuasion, for in a few days after, on the 2nd of January, he wrote a rather extraordinary despatch, to the effect that, up to that point, the mistaken confidence of the Greeks in the election of Prince Alfred had had a most beneficial effect. But the beneficial effect was increased a week after, when an undeniable improvement had taken place in the opinions of the influential classes regarding the King of Portugal. After that undeniable improvement, which was no doubt owing to the persuasion of Mr. Elliot, all at once there came down upon the people a clap of thunder, in the shape of a despatch, fourteen days later, from Lord Russell, stating that he was sorry to say that King Ferdinand, on account of his affection for his sons, had declined the throne. Now, he (Mr. Gregory) asked why did not the Government ascertain the state of the King of Portugal's affections beforehand? Was any application made to the King of Portugal? If so, let them know it, and hear what it was. But if no application was made to the King of Portugal, then he (Mr. Gregory) contended there was a most unwarrantable liberty taken with a Royal personage, and a most cruel delusion practised on the Greeks, by proposing to them as King a person whose candidature was a mere idea of a British Minister. The Greeks, however, were still to have a repetition of this expectation, because, after they had been informed on the 15th that King Ferdinand had declined the throne, Lord Russell informed Mr. Elliot, on the 19th, that the Duke of Coburg might well be brought under the notice of the Greek Provisional Government, but upon the 8th of February the noble Lord the Prime Minister announced that the Duke of Saxe-Coburg had declined to accept the throne if he was elected. There appeared, to use a common but expressive phrase, to have been a series of "sells" practised upon the Greek nation; and if Her Majesty's Government were to blame for putting forward those two illustrious names without first ascertaining the views of the personages themselves, he could only regard such diplomacy as reckless. It was reckless, because, it made our diplomacy the laughing-stock of Europe—and because it did away with the legitimate influence which England ought to possess in Greece; for it was to a prosperous, a well-governed, and an extended Greece that he, for one, looked eventually for the main solution of the so-called eastern question. And as he had spoken of an "extended" Greece, he would add, that he entirely approved of the policy of Her Majesty's Government in proposing the cession of the Ionian Islands. His hon. Friend had declared that that proposal was a mere sop, to make other less agreeable things go down, and he quoted a speech of the Chancellor of the Exchequer last year. But his hon. Friend must see, that if the Ionian Islands were offered to Greece at a time when that country was well governed, they were denied to her at a time when she was one of the worst-governed countries in Europe; and that was the whole fact of the matter. He was perfectly prepared to advocate at some future time the cession of the Ionian Islands, even on strategic considerations; but he advocated it mainly on the grounds on which his hon. and gallant Friend the Member for the Queen's County (Colonel Dunne) the other night opposed it. His hon. and gallant Friend said, that if the Islands were attached to Greece, they would be a standing menace to the opposite coast of Turkey. That was the very reason why he (Mr. Gregory) supported their cession. Another reason was this. It was said that we had espoused the cause of oppressed nationalities in Hungary, Venice, and Italy, that we had uttered our protest against the proceedings in Poland, yet here we were keeping down a nationality which was desirous of escaping from our protection, or domination, and whose aspirations to be joined to another country, with which they considered themselves naturally connected, had frequently been quenched in blood. These were the reasons which induced him (Mr. Gregory) to support Her Majesty's Government in these questions. But before he sat down perhaps the House would allow him to make some observations on a subject which, though not strictly connected with that which had been introduced by his hon. Friend, yet was on such intimate relation with it that it ought not to be passed over in silence. He had long thought that the policy of England as regarded what was called the Eastern question was well worthy at the present moment of the very gravest consideration; and in making that observation he did not in the slightest degree mean to impugn the policy which had hitherto been pursued by English statesmen. All he meant to do was this—to assert that our past policy should not be accepted as a criterion and standard for the future. He contended, that although the past policy of the English Government had been to preserve the integrity of the Turkish Empire, even though it might have been accompanied with great disaster to those unfortunate nationalities which had been groaning under that government, yet that, on the whole, perhaps, the interests of Europe required that England should maintain the policy she had hitherto followed. But he asserted that things were now different. The principle on which that policy was pursued was contained in the maxim, "Out of two evils choose the least." It had been our ungrateful but perhaps necessary task to preserve and maintain an imbecile, corrupt and irreclaimable government, which had hung like a millstone round the neck of some of the fairest provinces of Europe—a government under which all knowledge, all education, every aspiration which sprung from civilization had long been defunct—a dynasty which was rotten to the very heart's core, under which advancement was sought, not by great deeds or by great experience, or even by great worth, but by venality and corruption, the means for which were obtained through the misery and suffering of those unfortunate populations who were ruled by emissaries from Constantinople—a dynasty whose predominant characteristics were its ignorance and corruption—a dynasty which not one sane person in Europe believed to be otherwise than hopelessly incurable, and with regard to which there was not a man with a spark of humanity in his bosom, who knew the state of the case, but would rejoice with exceeding joy when the day of the dissolution of the sick man should arrive. That was the condition of Turkey; and it was an odious and ungrateful task of England to uphold and preserve such a Power. There was, indeed, on the other hand, an unscrupulous and aggressive State, the hereditary policy of which pointed to Constantinople as the place from which they would dominate the East; and the greatest captain of modern times said that the will of the Czar would give the law to Europe if Russia possessed Constantinople. England had then but a choice of evils, either to preserve the Turkish Empire or submit to a European war and Russian aggrandisement. Of two evils perhaps they chose the least in upholding Turkey. But the time was come when a change of policy ought to be made. The Russia of 1862 was no longer the Russia of 1852. He did not mean to say that the aspirations of Russia were not the same. The papers before them still showed her arrogant spirit and her intrigues in the Danubian Principalities, but her means were not the same. Russia, to use the expression of an illustrious Member of that House, was "crumpled up" in every one of the materials of her strength—ships, stores, men, and money; the discontent of Poland was eating like an ulcer into her very heart, and, as a letter which they had lately read announced, the Russian Government was sitting on a volcano. They might now, therefore, be able to do justice to those nationalities which were endeavouring to emerge from the prostration they had long suffered under, and to join the rest of Europe in the onward march of improvement and freedom. He referred particularly to Servia and the Danubian Principalities. He also looked upon the territorial extension of Greece as an absolute necessity, and he justified such an extension by the language which they had invariably held in that House with regard to Italy, for they said that the extension of Italian territory was necessary to her strength and security. He found exactly the same line of argument in a French paper, which contended, that as Italy was not able to change her *régime* without being forced to claim the internal provinces, so it was impossible for the Kingdom of Greece to be established without the acquisition of the Ionian Islands, Candia, Thessaly, and Epirus. Whatever our past policy might have been, this was the true solution of the Eastern question. It was impossible to expect a stable Government in Servia or the Danubian Principalities as long as they were exposed to intrigues, and intrigues would continue as long as the influence of England was exerted in favour of a Power under whom they considered it impossible for them to progress. What was the complaint of those nationalities? It was that it was not Turkey that was keeping them down, but the strong hand and influence of England. A writer in the *Revue des Deux Mondes*, the ablest of French periodicals, said that there was no longer a Turkey in the East but England and an English Government, that Greece, Egypt, Syria, Lebanon, the Danubian Provinces, no longer looked to Constantinople but to London, and that Turkey had found out the secret of being more formidable now than she was in the thirteenth and fourteenth centuries, by being nothing of herself, but everything through England. Could they wonder, then, after the intrigues which had lately taken place, and which led to the foulest and most inexplicable bombardment of an unoffending city that had ever occurred, when England was supposed to be on the side of the wrongdoer, that those provinces should look to any quarter rather than to England. It was the policy of England that the Christian provinces of Turkey should be tranquil, prosperous, and contented; it was the policy of Russia that they should be unquiet, wretched, and discontented. The Emperor Nicholas, in 1853, informed Sir Hamilton Seymour that he would never permit the attempted reconstruction of the Byzantine empire, or such an extension of Greece as would render her a powerful state. The Greeks were perfectly aware of what they owed to Russia. On the other hand, they looked to England for countenance and support, and were delighted when, on the occasion of the recent revolution in their country, they found that the old spirit which had sent Byron, and Cochrane, and Church, to Greece, had not died away. The despatch which Lord Russell wrote after the late revolution was one which reflected the greatest credit on him; it was translated into Greek, and the Greeks carried it about in their pockets as a kind of phylactery or charm, a compliment not often paid to the noble Lord's despatches in foreign countries. In that despatch the noble Lord said, "Her Majesty's Government cannot deny that the Greeks have had good cause for the action they have taken." And in another paragraph he foretold, that if the Government should act with prudence, the future of Greece would be a degree of prosperity which it never before attained. He (Mr. Gregory) advocated an extension of territory for Greece because the territory which the Greeks coveted was sure sooner or later to fall into the hands of some Power or other, and because, that being so, it was well that England should hold out some encouragement to Greece, if she established her claim to this increased territory by good order and good government. He would not now raise the question of Turkey, because he had given notice of his intention to bring the whole subject of that country before the House after Easter. But he might say that the prediction of his hon. Friend (Mr. Layard) that the reign of the new Sultan would inaugurate a new state of things in Turkey had altogether failed. The only difference between the present and the late Sultan was that the present was a retrograde fanatic, whereas the other was a weak, imbecile *debauché*. Turkey was as incapable in internal reform as in adopting European civilization. Various modes of resuscitating Turkey had been tried, but in vain; and now her regeneration was attempted by filling the Sultan's coffers with English money. This was a complete mistake. The last Sultan lavished his money upon women and palaces. The present Sultan spent his treasures upon soldiers and barracks. As to the Greeks, justice had hardly yet been rendered to them. People imagined that a few years of self-government, or rather of mis-government, would eradicate in a country the seeds sown during centuries of tyranny and oppression, and that, like Minerva, they would emerge at once in the full panoply of every social and political virtue. But, applying the ordinary tests to the condition of Greece, there was much ground of confidence as to her future. Within the last thirty years she had doubled her population; the most anxious desire was shown for education. Primary and secondary schools, lyceums, academies, and gymnasiums — old terms which fell pleasantly on the ears of the Greeks—had sprung up. His hon. Friend would, perhaps, tell the House that the blood of Pericles, and Epaminondas, and Brasidas, did not flow in the veins of the modern Greeks, but they still cherished the old traditions, still had the letters which Cadmus gave them, and were the inheritors of those winged words which had traversed continents and seas, and were still loved and cherished wherever the reasoning powers were to be expanded, or the imagination to be pleased, or a sense of beauty was left among mankind. The Greeks had monopolized the whole commerce of the Levant; Greek houses had establishments in all parts of Europe; the little rocky isle of Syra was the emporium of the Archipelago. The deduction from all this was that England should use her endeavours to procure for Greece a wise and enlightened Prince, who should not be fettered in his views respecting an increase of territory by any diplomatic action on the part of this country. Other nations had their *grandes idées;* and if the Greeks aspired to Constantinople for their capital and St. Sophia for their sanctuary, he trusted that such an aspiration might ultimately be realized. In the hope that increased territory might come to them, not by violence, conspiracy, or aggression, but by such an example of good government as should induce other nations to cluster round them by a sort of natural gravitation, he begged to second the Motion of the hon. Member.

Mr. MONCKTON MILNES: Sir, I doubt whether my hon. Friend has done very good service to the cause which he has so warmly advocated by converting the question before us into a Turkish question. I think, that if in one point more than another Greece has won the sympathy of Europe, it is that her people have shown a self-command which is the real foundation of all freedom, and that in this crisis of their fate they have thought about their own Government and their own internal affairs instead of being tempted into foreign aggression. It is this, I believe, which has led Her Majesty's Government to join with the rest of Europe in according to the Greeks their best sympathy and approbation. As to the policy of Her Majesty's Government, I do believe that it has been founded upon the best intentions towards Greece, but I cannot think that the issue has been so successful as the intention was good. They intended to show for the Greek revolution at once interest and respect. Their interest in it has been shown, but I hardly think that they have treated that great event with respect by leaving it, as they have left it, so entirely in the hands of diplomacy; nor can I think that diplomacy has shown itself as wise or as successful as we might have hoped to see it. There were two lines of conduct which England might have pursued, and I think that each would have been more successful than the middle line which she has actually adopted. For my part, I cannot agree with those who hold that there was an absolute necessity of re-establishing the protocol which excludes from the throne of Greece the leading princes of Europe. What is the effect of that protocol? At this moment we tell the Greek people that they are at liberty to choose what Sovereign they please, and at the same time we exclude from their choice all the Royal personages of those three great Powers who may be supposed to be brought up with the largest views and the highest intelligence of which Royal persons are capable. We, in fact, limit the choice of the Greek people to the princes of Germany. We deprive them of all that sympathy in religion and race which we might secure by electing a Russian prince; we deprive them of the means of strengthening that great intellectual and sympathetic connection which they have long had with France by preventing them from electing a French prince; and we deprive them of the best chance of constitutional liberty by preventing them from calling an English prince to the Greek throne. I do not think, that even if this protocol had not existed, Her Majesty's Government would have done right in acceding to the election of Prince Alfred. My objection to their doing so would be founded on different grounds. I believe that the free choice of the Greeks should light on some man of ability and experience—on some man who would be fully capable, understanding the work he had undertaken, of carrying out the duties of his position with courage and prudence. I do not think it would be prudent to place on the throne of Greece a young and inexperienced prince, which, providing it meant anything, would mean "the protection of England." I believe the Greek people ought not to be under any protection, but should be left to do the best they can, to stand by themselves; but if, on the one hand, diplomacy was to be introduced into this matter—if the occupancy of the Greek throne was to be made the *pour parler* from Court to Court—if that line of diplomacy was to be pursued, I cannot understand why it should not have been more reticent. If it had been more reticent, it might have been more successful. Why was it known and commented on by every newspaper in every part of Europe that the King of Portugal had been asked but had refused to become a candidate for the throne of Greece? Why was the Duke of Saxe-Coburg's name mentioned before it had been ascertained whether he could become a candidate? Why, above all, was the imprudence committed of allowing Mr. Elliot to proclaim to the Greek people the candidature of the Duke of Saxe-Coburg before that illustrious prince had consulted his own States in order to know whether he should receive from them that sanction without which he could not accept the throne of Greece. No doubt it is to be regretted that a prince of his high courage, intellectual ability, and enlightened views, has not felt himself in a position to become a candidate. If he had been permitted to commit the charge of his own State to a Regent while he reigned in Greece, I believe there would have been every hope of his achieving a success equal to that which has attended his distinguished uncle's occupancy of the throne of Belgium. But I believe the Duke of Saxe-Coburg acted rightly in making that a condition; for I do not know how much of the success of the King of the Belgians may not be owing to the fact of the Belgian people knowing that any day he was ready to come back to Claremont. On this point we are now at sea. It seems that there is no candidate in the field who has received the sanction of the Powers of Europe. If my hon. Friend (Mr. Layard) is not able to name one this evening, I should venture to advise the Government that we should give up looking for candidates. I think it would be better that the Greek people should have to try the principles of self-government for some time than that we should go on in the useless course of proposing prince after prince, and getting refusal after refusal. The future of Greece does not seem to me to depend very much on the character of the Sovereign who may happen to be elected, because the real test of the fitness of a nation to exist is its power of enduring an unpopular Sovereign for at least a considerable time, and of choosing a new one when there is no other resource. I should therefore be glad if it were possible to combine the throne of Greece with some other principle than that of popular election. If some arrangement could not be made by which an appearance, a semblance of succession to the Greek Throne was established, I cannot see that it would lead to any considerable advantage ; and if that course is not adopted, I see nothing for Greece but a Provisional Government for a considerable period. Greece is not new in municipal institutions. Her municipal institutions in the olden times carried her through under the Roman Empire, and later they enabled her to survive through the Byzantine period and under the domination of the Turks. They have been a considerable agent in the liberation of the country, and why should she not, in a great measure, revert to those institutions? Why, with the aid of those institutions, should not Greece continue for some time under a Republican form of Government? I believe, that if she succeeded in that, she would acquire a high position. It would be a hard test, a strong test ; but let her succeed in standing it, and the time will come when princes will not think it unworthy of them to obtain the chief magistrature of such a State, and to take part in shaping the destiny of such a nation. I believe that destiny is one to be won by prudence and self-control ; but hitherto I am bound to say the mercantile classes of Greece have not shown the patriotic spirit that might have been expected of them, by taking back to their own land the wealth acquired in foreign countries, and using it to fructify the resources of Greece. We know very well the ability of Greek merchants in foreign cities. We know very well that there are hardly any merchants who can compete with them on 'Change in the great commercial cities. Why is not that skill and energy to be employed for the benefit of their own country ? In this crisis of their fortunes, let the Greek people but show a spirit of self-control in their own Government, endeavouring, if they can, to elect a wise, good, and courageous man for a Sovereign, but let them not go about Europe looking for a foreign Sovereign as a symbol of foreign protection. If they could secure some one of the able men from whose number they are still permitted to choose, I should heartily rejoice in it ; but I profoundly regret that by the provisions of tho protocol they are prevented from choosing such men as the Duke of Leuchtenberg, Prince Napoleon, and the Duke of Cambridge. I believe that the political combinations which might arise from such a choice would be comparatively unimportant as compared with the advantages which would accrue from having an experienced man and an intelligent Sovereign at the head of the Greek people.

MR. LAYARD : Sir, of the three hon. Gentlemen who have spoken on this question no one agrees with the other, though all seem to disagree with the policy of Her Majesty's Government, except my hon. Friend the Member for Galway (Mr. Gregory), the earlier part of whose speech I admire more than the latter. I am desirous of calling the attention of the House to dates. I think dates have been somewhat overlooked, especially by my hon. Friend the Member for Honiton. To judge from what fell from my hon. Friend, it might be supposed that Her Majesty's Government had not, throughout the whole of those events in Greece, held the same language. He says we have treated the Greeks unjustly and ungenerously, that we have misled them, that their present difficulties are a consequence of that line of policy, and that if those difficulties should increase and disaster ensue, we shall be responsible. Now, I think that by referring to dates I shall be able to show that my hon. Friend's charge is an unjust one. On the 27th of October the news of the revolution in Greece was telegraphed to us, and there was not the slightest idea then that an English prince would be elected to the throne. Earl Russell did that which he was bound to do; he stated that the English Government was not desirous of intervening in any way in the affairs of Greece, that they admitted that the Greeks had a full right to change their Government and elect another King, and all that England meant to do was to adhere to treaty engagements and to insist on other Powers doing the same. Shortly afterwards a rumour reached England that the Greeks were likely to elect Prince Alfred for their King. Earl Russell at once telegraphed to Mr. Scarlett to the effect that the future King of Greece could not be a member of a reigning family of either of the three Powers which had been parties to the protocol drawn up at the time of the first revolution. The opinion of the French Government was asked, and, as will be seen at page 21 of these papers, they stated that they took the same view of the protocol as we did. They considered the engagement then entered into to be binding, and they meant to adhere to it. The Russian Government were also asked for their views, and they answered that they adhered to the views expressed in the protocol, but that they insisted upon the article of the Greek Constitution which made it necessary that the next King of Greece should be of the orthodox faith. This answer naturally excited some suspicion in the minds of Her Majesty's Government, seeing that there were no princes coming within that definition except the princes of the Imperial House of Russia. It was thought necessary to ascertain the views of the Russian Government still more fully, and we asked this distinct question and required to it a categorical answer—Does the Russian Government consider the Duke of Leuchtenberg to be included in that protocol? Originally, perhaps, the Duke was not a member of the Imperial family; but by a special ukase he was made a member of it, under the title of Prince Romanoffsky. To this question we got at first an equivocal answer, and it was some time before we could obtain an assurance from Prince Gortschakoff that the Duke of Leuchtenberg was included in the protocol. The exchange of notes in which that assurance is conveyed only took place on the 4th of December. Any hon. Gentleman who will read the reasons which Earl Russell gave as to the necessity of arriving at a complete understanding with Russia as to the persons included in the protocol will come to the conclusion, I think, that my noble Friend was perfectly right in what he did. Prince Alfred stood in two separate and distinct conditions in regard to the Greeks. We had stated that for certain reasons he could not accept the Crown of Greece. Those were great reasons of State; they were fully understood and appreciated by the country at large, and they received the support of the entire press of this country. Everybody felt that it was not desirable that a prince of the English blood so nearly related to the Queen, and so near in the order of succession, should accept the throne of Greece. But these reasons only applied in this specific case to Prince Alfred personally. There were general reasons which would exclude him and every other prince of the English blood Royal from the throne under the protocol. Earl Russell thus puts forward his views on this subject as applied equally to the Duke of Leuchtenberg—

> "The line of Great Britain upon this question has been clear and simple. She might bind herself by a protocol or a declaration by which the other two protecting Powers should be equally bound; or she might, for the sake of British interests, refuse to entangle herself in the politics of Greece, and to separate from her own Royal family a prince so near in the order of succession to the Crown. But, as Her Majesty's Government considered the Duke of Leuchtenberg as a prince of the Imperial family of Russia, they could not declare themselves to be bound by the protocol of 1830, without knowing what that protocol meant. If it was meant that Prince Alfred should be bound to refuse, and Prince Romanoffsky free to accept the Crown of Greece, that would have been, in the eyes of Her Majesty's Government a position of inferiority and inequality which Great Britain could not accept."

That reasoning is perfectly conclusive. Earl Russell did not at any time change his language on this subject. If the hon. Gentleman will look through the papers, he will see that from the beginning, in all his communications with the Russian Government, with the French Government, and with M. Tricoupi, Earl Russell distinctly stated that Prince Alfred could not accept the Crown of Greece. My hon. Friend opposite has mixed up two different things. Earl Russell at one time did give instructions to Mr. Scarlett not to interfere in the elections; but if my hon. Friend will follow me, he will see that in so doing he in no way departed from his first declaration that Prince Alfred could not accept the throne. The Greeks had a perfect right, if they chose, to elect Prince Alfred, after having being solemnly warned, as they were warned, that he could not accept the Crown, and we certainly should not have been justified in attempting to prevent them if we could have done so. But suppose we had interfered in the election before the Russian Government had declared their views about the protocol. We knew that there were intrigues going on in Greece in favour of the Duke of Leuchtenberg—I will not say that they were intrigues prompted by the Russian Government—but there were intrigues. If we had insisted that Prince Alfred should not be elected, the Greeks might have considered themselves free to elect the Duke of Leuchtenberg; and Russia, not having admitted the validity of his exclusion by the protocol, might have turned round and said, "You may have withdrawn Prince Alfred, but we do not see any reason why we should withdraw the Duke of Leuchtenberg, and we insist on his election." There was no concealment in the policy of England, and it will be seen in the papers that Lord Napier was instructed by Earl Russell to state distinctly to Prince Gortschakoff that we should consider it our duty to do all we could to oppose the election of the Duke of Leuchtenberg. We had good reasons for doing so. I believe the policy of Her Majesty's Government was a wise policy, and I have not the least doubt that the election of the Duke of Leuchtenberg would have been as mischievous to Greece as to Europe. There were other reasons, also, for not intervening. We were told by persons well acquainted with Greece, that if any attempt were made at that time to check the general unanimous feeling in favour of Prince Alfred, mischief might occur; that Greece had been left suddenly in a state of great disorder, and that the only chance of restoring order was by such a candidate as Prince Alfred being put forward. My hon. Friend read a long list of candidates, but he did not read the number of votes given for them. Very few votes, in fact, were given for any one but Prince Alfred, and the election was practically unanimous. I hope the few words I have said will make it clear to the House that the conduct of the Government has been perfectly straightforward. We felt the deepest interest in Greece, but it was not for us to interfere with them in their choice of a Government. They had a perfect right to change their Government as they chose. We were bound by solemn treaties, and it was our duty to ascertain what view was taken of those engagements by the other contracting parties. My hon. Friend the Member for Galway amused himself by making some observations in reference to Mr. Elliot, whose position he entirely mistakes, and who, he thinks, on the strength of his spelling his name with two "l's" and one "t," was selected, as a near connection of Lord Russell, for a special but unnecessary mission to Greece. If Mr. Elliot is an instance of the advantage of having such family connections, I can only say that he is a very discouraging example of being related to the head of the Foreign Office; for just as he was comfortably settled at Naples, he was suddenly deprived, by no fault of his own, of his position there, and has since remained unemployed in his profession. He had been previously in Greece; and when it became necessary to send a special mission to Greece, as he was not employed in active service, he was chosen for it. Had another diplomatist been taken from some other post for temporary employment, whilst Mr. Elliot was permanently put in his place, my hon. Friend might have had some ground for blaming Lord Russell. It is said that we deceived the Greeks by holding out other candidates. But, if you look carefully at the language used by Her Majesty's Government, you will see that there was nothing in it calculated to deceive the Greeks. Her Majesty's Government have not the slightest wish to deprive the Greek nation of the utmost liberty in choosing their king. It is true the King of Portugal was mentioned to them by us, under the impression that he would be inclined to accept the crown. His administration of the affairs of Portugal had been such that, if he had thought fit to accept, a more eligible candidate for the crown of Greece could not have been found, and Her Majesty's Government recommended him to the Greeks upon that ground. Unfortunately, he thought fit to decline. The next candidate was the Duke of Saxe-Coburg. It is well known that he is a wise and liberal prince, and I believe, if the Greeks had had the good fortune to obtain him for their King, they would be in a few years in a very different position from what they are now. Her Majesty's Government recommended him under the impression that he was prepared to accept, but unexpected difficulties arose in another quarter. His Chambers refused, except under certain inadmissible conditions, to sanction his acceptance of the throne of Greece, and he declined. I should have limited myself to these remarks upon the policy of Her Majesty's Government in the case of Greece, if observations had not fallen from hon. Members to which it is very desirable a reply should be given. The policy of Her Majesty's Government in the East has of late been very much misunderstood and very deliberately misrepresented. Her Majesty's policy in Greece is a part and parcel of her policy in the East. I believe that the necessity to Greece of an extension of territory has been greatly exaggerated. What is the utmost extension you could, upon any just grounds, claim for Greece? The only parts of the Turkish Empire inhabited entirely by Greeks are Thessaly and part of Epirus. They are mountainous districts. Thessaly possesses one fine harbour and one or two plains, but, I believe, that neither Thessaly nor Epirus would in any way add to the material strength or wealth of Greece. The Greeks have been diverted from that which would have really contributed to their welfare and happiness by this cry after an extension of territory in Turkey. Such extension would not add to their trade, or to their material resources. Their commerce is more the commerce of brokers. They have never been a manufacturing people, nor have they been merchants in the strict sense of the term. I grant that they have driven the English merchants out of the East, but how has that happened? The English merchant, under the ancient Levant Company, and his successor was one of those merchant princes of whom we hear people often speak. He lived in great luxury. He had horses and carriages. He indulged in profuse hospitality. To live in that way he had to make a great deal of money, and it was done by selling his goods at enhanced prices. The Greek, who became his rival, and finally succeeded him, lived on olives and cuttlefish. He slept on a carpet in his reception-room. He indulged in no luxury. He devoted his whole intelligence and ability to trade, and very great, I admit, are the intelligence and enterprise of the Greeks. The consequence was that he was able to undersell the great English merchants, and one after another they went. But by selling English goods at a less price they have very much increased the English trade, so that, undoubtedly, we are greatly indebted to the Greeks. Greece is remarkably well calculated for a race of enterprising people such as its present inhabitants. The people have maritime tastes, and the country is full of the finest harbours. They could command the most extensive and lucrative carrying trade, but all their prospects have been destroyed by the fatal spirit of intrigue. Instead of seeking to develop the resources which they possessed, they have sought to extend their territories and to look for other resources. This has led to great and unnecessary expenditure. They had an army and navy of no use whatever. They were compelled to maintain a useless and expensive diplomacy. Representative institutions fell into contempt; there was a general state of insecurity. No roads were formed, no improvements were effected; bankruptcy supervened; they did not pay their debts; their public men forfeited the public confidence—the same fate followed the King and Queen, and the end was the expulsion of the Bavarian dynasty. Her Majesty's Government have been constantly advising them to give up that fatal policy, and devote their attention to the improvement of the country. The answer has been, "You are enemies to the Christians; you are friends to the Turks." I believe the advice which was given was sound, and that if it had been taken, the Greeks would not have been in the condition in which they now are. No country in Europe was in such an admirable position as Greece. No one could attack her, for she was guaranteed by the European Powers. She needed no army and no diplomacy. And, with regard to Turkey, I defy any one to say, that during the connection of Turkey and Greece Turkey has ever violated any of her stipulations with Greece. If there have been violations of treaties, they have systematically been by the Greeks and not by the Turks. Hon. Gentlemen say, that we offered to cede the Ionian Islands to compensate for the disappointment felt by the Greeks when we refused them a prince. Two or three years ago I had the honour to take part in a debate on the Ionian Islands in this House, and the views which I expressed then I maintain now. If we had given to Greece the Ionian Islands at a time when the policy of Greece was so aggressive, it would have been fatal to British policy in the East.

We have made it a condition that Greece must give up her aggressive views if she expects this Government to cede to her the Ionian Islands. I remember that I said, the time might come when it would be equally advantageous to this country and to Greece for this country to cede the Ionian Islands, and I hope and trust that time will very shortly arrive. The hon. Member for Galway (Mr. Gregory) further touched on our policy in the East, and it is of the greatest importance there should be clear views as to what that policy really is. The cry has been raised, that the Turks look to London rather than to Constantinople. I remember M. Thiers on one occasion saying, when commencing a speech in the French Chambers, "I am going to give you a lecture on geography." I will not venture to lecture the House, but I wish to draw attention to three or four facts. Of what is Turkey in Europe composed? There are the Danubian Principalities, under the suzerainty of the Porte, inhabited by an unmixed Christian population, with their independence guaranteed by the European Powers, so that Turkey has only to receive the annual tribute. You have Servia, with rights not so extensive, inhabited by a pure Sclavonic race of the Greek faith, but in no wise dependent upon the Constantinopolitan head of the orthodox Greek Church. On the contrary, one of her first struggles was to release herself from the government of the Greek Patriarch at Constantinople, and to obtain an independent Patriarch in Belgrade. You have Bulgaria, inhabited by a race presenting an ethnological anomaly. Although speaking a debased Sclavonic language, they are, in fact, a Tartar tribe. The landowners are Turks, and they hold the land absolutely. The labouring population are Christians of the Greek faith, yet not accepting the superintendence of the Greek Patriarch at Constantinople, for a very short time ago so great was the struggle to throw off the government of the Greek Patriarch, that they actually threatened to become Roman Catholics if they did not succeed. You have Bosnia, inhabited by a Sclavonic race. At the time of the Turkish conquest the landowners embraced the Mohammedan faith to save their lands. They were the old feudal landowners, and in some cases properties have descended among them for hundreds of years. But the agricultural population are of the Greek faith. In Roumelia you have the Bulgarians, a Sclavonic people of the Greek faith, but the landowners are Turks, descendants of the conquerors. We then come to Albania, where, with the exception of the south, the population is Mohammedan. They are not Sclaves, nor are they Greeks. In Thessaly, a very small province, you have a substratum of the Greek race, but there too, the landowners are for the most part descendants of the old Mohammedan conquerors; while in Macedonia the substratum is Sclavonic with the exception, that a few seaport towns are inhabited by Greeks. But what, let me ask, are the relative populations of these provinces, for it is of importance the real facts of the case should be known to the country. I find that M. Ubicini, who is a good authority on the subject, gives the population of Turkey in Europe as follows:—Mohammedans, 4,550,000; Greeks, 1,000,000; Armenians, 400,000; Sclaves, 6,200,000; and Roumans, 4,000,000. About one million of the Sclaves inhabit the principality of Servia, the Roumans are the inhabitants of the Danubian Principalities. In Constantinople you have Mohammedans, 475,000; Armenians, 205,000; the Greeks being only 130,000. Such being the case, you will perceive that the great majority of the population of Constantinople is Mohammedan, while in the provinces the Mohammedans, who exceed four millions, are also the great landowners. More than this, they are men inured to arms, against whom the Christians have no power of successfully contending. I must, moreover, maintain, in opposition to my hon. Friend, that it was not the Turks who corrupted the Greeks, but the Greeks who corrupted the Turks, and I venture to say that no conquerors ever pursued a more liberal policy than that which the Turks adopted. They acknowledged the church of the Greeks and their municipal system. It is all very well to talk of taking the Greeks to Constantinople. Indeed, I do not exactly know what is meant by those who speak after that fashion. Do they desire to give Constantinople a Greek Administration and a Greek King? That is to say to put foreigners there to reign over the Bulgarians, Roumans, and Mohammedans of various races, and thus to violate all the principles of nationality. If so, you would only bring about a state of things infinitely worse than that which now exists. Now, without being particularly in love with the Mohammedans, I wish to be just to all parties; and how, let me ask, if the views to which I have adverted are carried into effect, do you propose to deal with the large population of Mohammedan landowners? Are you to forfeit their lands? Fortunately, the Sultan has never preached a war of religion; for if he were to raise that cry, the whole Mohammedan population would rise, and the result would be too horrible to contemplate. It is not to be expected that 4,000,000 of a warlike race of landowners would give up their land without a struggle; they would fight, and either conquer the Christians, or the Powers of Europe would step in, and thus lead to a European war. My hon. Friend alluded to Belgrade, and I think it is well to state that Servia was under the guarantee of the European Powers; that Turkey never broke her treaties with Servia, while Servia over and over again violated them in the case of Turkey. When, however, there was a struggle in Servia between those who attempted to oppress the people and the people themselves, the Porte invariably took the side of the liberal party. For two years there had been deliberate attempts made to break treaties, and to drive the Turks from Belgrade. The Turkish population, which lived near the walls of the fortress, had negligently allowed the Greeks to build within the gates which were the outworks of the fortress. The Prince of Servia instituted a military police, by whom the Turkish quarter was attacked. Before the bombardment the Servians fired at the castle, and sacked the Turkish quarter, murdering many women and men, and the Pasha, who was greatly alarmed, bombarded the town —a step which could not be justified. A man accustomed to military command would not have done it, but there was a certain amount of provocation. To throw the blame of what followed entirely on the Turks is to adopt a line of argument totally at variance with the facts of the case. The Porte did its utmost to make amends by deposing the Pasha and sending one of its most eminent statesmen to make an inquiry into the facts of the case. Now, what we say is, that we should like to see the position of the Christians improved; that we should wish them to have the full enjoyment of their properties, to be allowed to profess their religion unmolested, and to be as well governed as possible. That we believe to be a much safer and surer way to better their condition, and to prepare them for the destiny which may be in store for them, than to permit them to be worked upon every year by intriguers, and exposed to be put down by Turkish or European intervention. You say we are always interfering in Turkey; but all we ask is, that no one else should interfere. Then we shall have no wish to do so. We have no desire to throw back these Christian populations for years and years, instead of allowing them to improve their condition. What has happened in Montenegro in consequence of her recent war, brought on by foreign intriguers? She has lost some of her best men, has been thrown back fifty years, and has gained nothing. If she had taken our advice, instead of wantonly attacking the Turks, and of rising in so hopeless a manner, all this would not have happened. My conviction is, then, that the policy pursued by the Government is a just and wise policy, and that it is the best, not only for the Christians themselves, but for Europe at large, which can be adopted.

Lord JOHN MANNERS said, the speech of the hon. Gentleman was directed to the state of Turkey, rather than the conduct of Her Majesty's Government, in reference to the affairs of Greece. He never remembered a debate which wandered so widely from its legitimate object; and in the few observations which he should address to the House he should endeavour to confine himself strictly to the matter they had in hand. It was natural that his hon. Friend the Member for Honiton, so long and so honourably connected with Greece, should look at the question from a Greek point of view; but, for himself, while wishing the Greeks well, and hoping that they would do in future what they had failed, according to the hon. Gentleman the Under Secretary, to do in the past—namely, that they would pay attention to their commerce, cultivate their land, pay their debts, and respect the landmarks of their neighbours, he should discuss the question in an English sense, and with reference to European consideration. The question the House had to discuss was really very simple—namely, had the conduct of the English Government since the revolution broke out in Greece been manly, straightforward, and honest, and had their policy been a policy calculated to maintain the reputation of England and secure the tranquillity of Eastern Europe? Upon a careful perusal of the documents which the Government had submitted to Parliament, he was prepared to contend that they had failed most signally in those particulars. The hon. Gentleman the Under Secretary appealed to dates. He (Lord John Manners) accepted the challenge. He contended that the question was essentially a question of dates; and he took leave to ask the House—regarding it as a question of dates—if it could not be legitimately converted into a play with three completed acts and a fourth in progress? The first act of the Greek drama commenced with the expulsion of King Otho from the throne, and the determination of the three protecting Powers to act in harmony and concert together, and mutually to respect the Treaty of 1832. The time occupied in that act ranged over the first fortnight of November. The hon. Gentleman had told the House that England was the first to propose an adherence to the Protocol of Paris of 1832, and the first to re-enact the provisions of the treaty by which the independence of Greece was guaranteed. It appeared, however, from the papers submitted to Parliament, that if strict justice were done to Russia, she was the first Power to propose an adherence to the Protocol of 1832. It appeared that on the last day of October Lord Napier wrote from St. Petersburg that such was the wish of the Russian Government; and on the 6th of November the English Government took that view of the case in a letter addressed by Earl Russell to Earl Cowley at Paris. On the 7th of November Earl Cowley wrote that the Government of France had arrived at the same conclusion. So that at that date the three protecting Powers were entirely at harmony as to the principles which were to characterize their policy in Greece. Indeed, the noble Lord at the head of Foreign Affairs appeared to be so pleased with the overtures from Russia and so well satisfied with Russia, up to that time, that he could not refrain from expressing his gratification at the conduct of the Russian Cabinet. In answer to Lord Napier, Earl Russell said, in a despatch dated the 10th of November—

> "I stated to your Excellency, in reply to your telegram of the 31st of October, that Her Majesty's Government were glad to hear the view taken by Prince Gortschakoff as to the mutual obligations of the protecting Powers, and that Her Majesty's Government have no doubt that those Powers will agree as to their duties and obligations in regard to Greece."

Again, Earl Russell wrote, so late as the 15th of November, to Lord Napier—

> "Prince Gortschakoff has been the first on the present occasion to appeal to that engagement, and to state most truly that it could not be departed from without the consent of the three Powers who were parties to it. . . . So far, I trust, there may be a concurrence of views among the three Powers. But the Russian Government, it appears, lay great stress on the provision of the Greek Constitution and subsequent engagements which provide that the successor of King Otho should be a member of the Greek Church."

The Under Secretary for Foreign Affairs had argued that from that expression the Russian Government had shown an inclination to procure the election of a member of the Russian Royal family as King of Greece; because it was impossible, according to the Under Secretary, that any Prince could be found who was a member of the orthodox Greek Church without being also a member of the Russian Royal family. Did Lord Napier entertain the same view? On the 31st of October, Lord Napier wrote to Earl Russell—

> "I thanked Prince Gortschakoff for his obliging communication, and then put the following question to him:—If a Prince of the House of Bavaria should present himself professing the orthodox religion, and fulfilling all the provisions of the treaty, would he have that degree of moral support on the part of the Imperial Government which could be exercised without applying an unjust constraint on the Greek people, and which would appear conformable to the spirit of the treaty, by which the three Powers had recognised the Bavarian dynasty and regulated the succession?"

Again, in the course of the debate, reference had been made to a statement made by Her Majesty's Government, early in the Session, that a Prince of the House of Saxe-Coburg was most eligible, because the Duke was ready to promise that a young member of his family should be educated in the Greek Church, in order that he might fulfil the obligations upon which Russia laid such great stress. Therefore, the argument that Russia, because she expressed anxiety to maintain what seemed to her the essential principles of the Protocol of 1832, was intriguing in favour of a scion of her own Imperial family, was a most gratuitous assumption.

MR. LAYARD explained that he had not charged the Russian Government with intriguing. There were intrigues, but the Russian Government denied having anything to do with them.

LORD JOHN MANNERS said, the hon. Gentleman now exonerated the Russian Government.

VISCOUNT PALMERSTON observed, that his hon. Friend never made a charge against the Russian Government.

Lord JOHN MANNERS said, he thought the best plan would be for the noble Lord, and the hon. Gentleman the Under Secretary, to settle between themselves what course they would take in the debate. It was very unseemly that they should be contradicting each other.

Mr. LAYARD said, that so far from contradicting, the noble Lord confirmed what he said.

Lord JOHN MANNERS said, he wished to know whether the hon. Gentleman meant to make any charge of intrigue against the Russian Government or not, for he certainly understood him in his first speech to intimate, that because the Russian Government laid stress on the maintenance of that particular provision inserted in the Treaty of 1832, there was an intrigue going on in the Russian court, the object of which was to place a Russian Prince on the throne of Greece. If the hon. Gentleman said that there was no foundation for any such charge, then all the observations he (Lord John Manners) had made fell to the ground; but if he did not, then there was no proof whatever in the correspondence before them of any such intrigue existing, and the charge he now brought against the Government was that the change in the policy of the noble Lord at the head of the Foreign Office was not justified by any appearance or even suspicion of intrigue on the part of Russia. As he had already stated, the first act of this melancholy Greek comedy terminated on the 15th of November. Earl Russell's despatches of that day expressed his satisfaction at the substantial agreement of Russia on the general policy which the great Powers ought to pursue, and the curtain descended amidst the plaudits of the British Government and expressions of hopefulness for the future of Greece. But what appeared when the curtain drew up for the second act? On the very next day, the 16th of November, the whole policy of the English Government had changed. The declaration of the noble Lord, that under no circumstances should Prince Alfred accept the throne of Greece, had become a dead letter: on the 16th of November the noble Lord telegraphed, and on the 17th wrote to Mr. Scarlett. The noble Lord said—

> "I have received your telegram of the 10th instant, reporting that the Provisional Government of Greece considered the renunciation by the Powers parties to the Treaties of 1827, in regard to the Sovereign of Greece being chosen from their families, to have no longer a binding effect after the fall of the Bavarian dynasty; and that a strong feeling prevails throughout the country in favour of the election of His Royal Highness Prince Alfred to the vacant throne, in which case the provisions of the 40th article of the constitution in regard to the religion of the successor to King Otho would not be allowed to stand in the way of His Royal Highness's assumption of the sovereignty. In reply to your request for instructions as to the course you should pursue in this state of things, I have to desire that you will not interfere in regard to the election of the future Sovereign of Greece without direct instructions from Her Majesty's Government. Their desire is that the Greeks should be left free to choose their own King. With regard to the obligations of the three protecting Powers towards one another, I may have further communications to make to you."

Now, it was remarkable that the telegram of the 10th instant, which he believed to be the key to the change of policy by England, was not given in the papers laid on the table of the House, nor was any despatch connected therewith. The hon. Gentleman the Under Secretary tried to make out that the despatch of the 17th merely meant that the mode of the election of the King of Greece was to be left free, and he explained that to mean the mode of election by ballot, or universal, or restricted suffrage, and that it had nothing whatever to do with the change of policy of the British Government as to the eligibility of Prince Alfred. Was that the view that Earl Russell himself took? He found Earl Russell on the 6th of February stating—

> "It appears to me that the proper course to pursue will be to leave the Greeks entirely free to take their own course and to reserve our objections."

Well, but the objections which the noble Lord had to the election of Prince Alfred on the 6th of November were not reserved, nor were they up to the 16th; and his complaint was, that the noble Lord did not treat the matter fairly, but having originally told the Greeks that they were not to have Prince Alfred for their king if they elected him, he departed from it in a fortnight, and for a whole month afterwards the Greeks were left to imagine, that if they elected Prince Alfred, no obstacle would be interposed by the British Government to his assumption of the Greek throne. Let the House observe the effect of the letter to Mr. Scarlett, requesting him to hold his hand and not interfere. From the 17th of November downwards, a great part of the despatches in the correspondence contained statements from persons engaged in various official capacities, from consuls, vice-consuls, and others as to the general feeling of the Greeks in favour of the election of Prince Alfred. On the 21st of November, Mr. Scarlett writes—

> "I have the honour to enclose an extract from a Greek paper called the *Future of the East*, which alludes to the report spread everywhere yesterday that Prince Alfred is on his way to Corfu, and that His Royal Highness will be raised to the throne of the seven united islands. Since your Lordship's instructions to me by the telegram of November 16, I have, when asked any questions on the subject of a successor to the throne, merely held the language that I do not intend to interfere about the election of another Sovereign in this country. Of the strength of the feeling existing here your Lordship will, however, best be able to judge by the extract herewith enclosed. The writer, hearing, from common report, that I had received instructions to leave the Greeks entirely to their own inspirations in this conjuncture, apparently at once infers that I am favouring the movement. I need not assure your Lordship that my language both before and after the receipt of the telegram above referred to has been most guarded."

The House would see that the language of Mr. Scarlett before the receipt of the telegram was most clear and decided that Prince Alfred could not accept the throne; but after that event it was guarded, as Mr. Scarlett himself said, and, in point of fact, confined to telling the Greeks that in this conjuncture he should not interfere in the election of a successor to the throne. The example set by Mr. Scarlett, in obedience to the direct command of his chief, was followed with alacrity by all his subordinates. For instance, there was an account given by Mr. Lloyd, the Consul at Syra, of the enthusiasm with which the name of Prince Alfred was received. The people assembled before the door of the British Consulate, and cheered when the Consul thanked them for the expression of their sentiments, which he said could not but be highly flattering. No doubt he maintained a guarded silence with reference to the acceptance of the throne by the Prince; but, undoubtedly, the people left his house under the full impression that no obstacle would be thrown by the British Government in the way of the Prince's acceptance of the throne. Mr. Scarlett himself made a speech, which was reported in the papers and copied into the blue-book, in which he said that the English Government desired to see the Greeks prosperous and free to choose whatever Prince they liked. Was that holding guarded language? Was that telling the people from first to last, from the end of October to December, that under no circumstances was the policy of the British Government changed? On the contrary, Mr. Scarlett told them in the same speech, which was corrected by himself, published in the *National Guard*, and sent to the British Government, that England would respect the expression of the desire of the Greek people; but that as to Prince Alfred it was impossible for him to tell them whether the throne would be accepted by that Prince. On another occasion Mr. Scarlett said that when an influential gentleman asked him his opinion upon that point, he declined to give him any opinion upon the matter, not having received further instructions; all that he did being to express a hope that the Greek nation would proceed to a modification of the Government, and be neither Republican at home nor aggressive abroad. Consul Ongley, at Patras, also gave an account of a demonstration to which he had responded with the usual reserve, without the least hint of Prince Alfred being excluded from the candidature. Hearing the repeated statements on the part of the British officials, in which there was no allusion to restrictions on the freedom of choice, and observing the marked difference in the language held at the beginning and at the end of November, it was impossible for a sharp, quick-witted people like the Greeks not to jump at the conclusion that the British Government had seen reason to change its views in a most material respect, and would no longer oppose the election of Prince Alfred. Thus the curtain fell on the second act, leaving the Greeks befooled into the notion that they were free to have the Prince of their choice. Reference had been made to the reluctance of Russia to consent to the exclusion of Prince Romanoffsky, and the noble Earl no doubt flattered himself he had achieved a diplomatic triumph over the Court of St. Petersburg on that point. Now, he could not learn from the despatches that the Greeks were at any time disposed to accept Prince Romanoffsky, or that the Russian Government had any design of thrusting him upon them. The voting papers certainly showed that he had scarcely any supporters at the election. It seemed to be a mere suspicion on the part of the English Government, and it was as well to recollect that similar comments were made at St. Petersburg, with much more apparent foundation, concerning the proceedings of our consuls and captains in regard to Prince Alfred. We had undoubtedly a vast deal of influence in Greece, and much greater means of propagating our views than Russia. If suspicions were in question, Russia had really more ground for saying that during the election England used underhand exertions in favour of Prince Alfred, than we had for charging Russia with improperly promoting the candidature of Prince Romanoffsky. But even if it were true that Russia had been intriguing in the matter, the proper mode of counteracting her efforts was not to plunge into other intrigues, such as those which had brought confusion upon Greece and misery upon the people, but to proclaim boldly and manfully that England would not accept or respect the election of Prince Romanoffsky. Who could believe, that if such a declaration had been published by us at a time when we had such moral influence and such an overwhelming material force in that quarter, the Greeks would have disregarded it, and elected Prince Romanoffsky? The idea was too preposterous to be dwelt upon for a moment. When the curtain rose for the third act, it disclosed the Greeks with their eyes at length opened to the truth by the peremptory despatch of the 1st of December, and introduced a new character. The stage direction was "Exit Scarlett with the policy of silence and reserve, and enter Elliot with the written exclusion of Prince Alfred in one hand, and the promise of the Ionian Islands as a sop in the other." With respect to that cession, that was, perhaps, not the proper time to enter into the question, and the printed papers threw remarkably little light upon either the reasons for the measure or the motive for adopting it at that particular moment; but there could be no doubt that it was offered as a sop to sweeten the refusal of the British Government to place Prince Alfred on the Greek throne. It was not, however, uninstructive to notice how the cession of the Ionian Islands first came to be mentioned in these papers. It was, it appeared, the Greek Minister in London who first suggested the cession. In a despatch to Mr. Scarlett, dated November 29, Lord Russell stated that Mr. Tricoupi told him it was understood all over Greece that the election of Prince Alfred meant that "a time might hereafter arrive when Thessaly and Epirus on one side, and the Ionian Islands on the other, might be peacefully united to the Greek kingdom." The noble Lord said that he had a good deal of desultory conversation with the Greek Minister, and in that desultory conversation the first idea seemed to have occurred to the noble Lord of the extent to which the desires of the Greeks were to be indulged. He (Lord J. Manners) did not think that that was a time when the question of the Ionian Islands should be gone into at length; but he felt bound to say, that whether the question were viewed from an English or from a European point of view, it could be shown to be impolitic and indefensible. Looking at the question from an English point of view, it amounted to a confession on the part of England that she had either failed or was likely to fail in the discharge of the trust which had been placed in her hands by the other great Powers of Europe in the Treaty of 1815, and was content to occupy less ground in Europe than she had hitherto occupied. Such an act must be regarded as the abandonment of a most important naval and military stronghold, which had been occupied by England for nearly forty years, and a departure from the traditional policy of the country. In a European point of view it was a virtual abandonment of the traditionary and well-founded policy of England, which regarded as of the highest importance the independence and integrity of Austria and Turkey. Certain illusory and childish safeguards, no doubt, hedged round this cession, but they would not be worth the paper on which they were written after the cession was made. Observe what they are. Greece must be a Constitutional Monarchy; she must elect a Sovereign who shall, in the language of Mr. Scarlett, be "a guarantee of order at home, and in the foreign relations of the country," and refrain from all attacks on her neighbours; and then, if the other Powers sanction such folly, and the Ionians are mad enough to vote it, Corfu, which lies off the coast of Turkey, is to be incorporated with the Greek Kingdom, in order to strengthen the really peaceful Empires of Austria and Turkey. As no suggestion was thrown out of the necessity of obtaining the consent of the Parliament of England, he supposed the House of Commons were not to have a voice in the matter, but he remembered in the Parliamentary history of this country a proposed cession of territory by a powerful Whig Ministry in the last century. The King was willing, foreign countries were treated with, and the cession was arranged by the Cabinet. But Parliament, the consent of which had never been asked, interfered, the cession was overruled, and Gibraltar still belonged to this country. But if this cession of the Ionian Islands were carried out, and Parliament remained silent, how long would Gibraltar continue ours? He trusted that Parliament would speak out in unmistakable language against this proposed cession of the Ionian Islands, and that a regard for the integrity of Austria and Turkey would hinder so unwise and so revolutionary a disposition of the territory of Eastern Europe. He called it unwise and revolutionary, and he now wished to look for a moment at the almost certain result of the cession, with its futile safeguards, if it were accomplished. M. Tricoupi had already announced that Greece seeks Epirus and Thessaly as well as the Seven Islands, and the Archbishop of Corfu, on congratulating Sir H. Storks on the tardy magnanimity shown by England in this cession, appealed to it as a pledge, that when reconstructed Greece should attack Turkey, the moral and material aid of England would be afforded to her. Who could doubt that Corfu would become the nucleus and starting point of every piratical expedition which refugees might plan for the purpose of invading Thessaly or Epirus, or promoting any other revolutionary design dangerous to the existence of the established Powers of Eastern Europe. He now came to the fourth act of this extraordinary drama; but over that darkness, hitherto impenetrable, seemed to hover. The hon. Under Secretary had been expected to shed some light upon the subject, but he had not said a single word upon it. The hon. Gentleman had, indeed, given the House an interesting account of the neighbouring provinces, but of the present state of the Crown of Greece he had not said one single word. It was anticipated that the hon. Gentleman would tell the House when the solution of the existing difficulty was likely to be arrived at, and what that solution was likely to be. So far as he could understand, England was performing the undignified part of hawking about this damaged crown in every little German principality, and dangling the bauble before the unenraptured eyes of every German, or, for aught they knew, every Scandinavian princelet. What was to be the end of that Downing Street Comedy of Errors? The noble Viscount at the head of the Government was fertile in resource, and was seldom baffled in his undertakings. The noble Lord would, however, pardon him if he compared him in this instance to the unsuccessful manager of a theatre, anxious for the termination of a play which had not had a great success either at home or abroad. Might he therefore make a suggestion? Would it not be possible that the performance might be brought to a successful issue if this oft-rejected crown, which had been slipping through the weary fingers of the noble Lord the Foreign Secretary, were to alight on his own unanointed head? Greece would thus gain a model constitutional monarch, and England lose, for a time at least, one of the most rash, meddlesome, and impulsive of all her pen-wielding politicians.

MR. HENRY SEYMOUR said, that although he did not think Her Majesty's Government were quite free from blame in their conduct of the negotiations respecting the succession to the throne of Greece, yet they were not, in his opinion, open to all the severe criticisms which had been lavished on them by hon. Gentlemen on the other side of the House. To one matter he would refer, as it appeared to be considered important; it was not correct to say that they had concealed from the Greeks their determination to regard the Protocol of 1830 as valid, and to enforce it in the present instance. As early as the week after the revolution, Earl Russell wrote a despatch to Mr. Scarlett, in which he stated that the English Cabinet had resolved to consider the protocol as valid, and that fact was communicated immediately by our representative at Athens to the Greek Minister for Foreign Affairs. Nor was that all. At the very time when Mr. Scarlett was accused of misleading the Greeks, at Athens, when it was represented as culpable secrecy on the part of Earl Russell, it might have been ascertained, as both the hon. Gentlemen who had addressed the House upon the subject might have found, if they had more closely examined the despatches, that Earl Russell had caused the proposal to be made at St. Petersburg, that the three Powers should at once make known their determination to act upon the arrangement of 1830. It was the Russian Government, and not the English, which objected to that course. On the 19th of November, Lord Napier—in accordance with instructions from England—proposed to Prince Gortschakoff that the three Powers should make a joint declaration at Athens that the Protocol of 1830 was to be accepted as binding; but the Russian Minister refused to be a party to any such announcement. That at once disposed of all the arguments which had been advanced by the right hon. Gentleman opposite. With regard to other points which had been raised in the course of the debate, he did not think Her Majesty's Government equally free from blame. He should like to know whether King Ferdinand had ever been consulted before the throne was offered to him. That was a point which the hon. Under Secretary of State had not answered. How was it, too, the negotiations with the Duke of Coburg were announced as having been completed at Athens? That was not managing things in a proper manner, for it tended, more than anything else, to bring the Greeks into contempt. They complained, that having thrown themselves entirely upon England, England had neglected and betrayed them. They said—"The selection of a Sovereign is a most important thing for us, a young nation, which has just effected a revolution in a manner of which the English Government has spoken approvingly. We, throwing off all our own relations, come forward and say to England, 'We admire your Constitution more than that of any other nation, and we will be guided entirely by your Foreign Office.'" Probably, too, the Greeks wished to pay a compliment to Her Majesty, whose virtues had raised the repute of constitutional monarchy so high. They went to the Foreign Office, and for six months that Department left them in a state of absolute neglect, or, when it acted, moved in such a blundering manner that he regretted a statesman with the high character of Earl Russell should have so committed himself. What was the present position of the question? It was not known whether King Ferdinand was ever consulted; all that could be said was that he had refused. The Duke of Coburg's acceptance had been announced as certain. On examination, that statement was found to be premature. Certain conditions had been imposed which could not be fulfilled, and therefore he also was out of the field. Who was in the field now? Months had elapsed; the Greeks, for what he might call a half-civilized people, behaved admirably; they kept order for some time, but no people could maintain order permanently in the absence of a settled Government. And that was the position in which the question now stood? The Greeks were deeply interested in the issue of that debate, and he hoped it would not close without some definite expression of opinion on the part of the Government. He felt anxious to press that point, as he perceived that the noble Lord the Prime Minister had just re-entered the House. It was highly desirable that the debate should not close, leaving the House, the Greeks, and Europe at large in its present state of uncertainty. It was expedient that some person should be chosen who had been previously consulted, and had consented to accept the throne; but it was also necessary that that choice should be made quickly. The Greeks had placed the choice of their future King in the hands, not of three Powers, as in 1830, but entirely in the hands of the British Government. The destinies of that people were confided altogether to the British Foreign Office; and, what was more, the Government had tacitly accepted that trust. But for months past there had been no sign of action, and it was not known in the least who was to be the future King of Greece. One thing was certain—that the state of Greece was daily growing worse. Among that impulsive people there were many spirits whom it was difficult to keep in order, and, after years of misgovernment, the country necessarily was not in a satisfactory state. No man in Europe was more interested than the noble Lord in the solution of this question; for, to his honour, Greece might be regarded as one of his children. The noble Lord, who was then the Minister of a party including many members who doubted whether a constitutional sway was the best form of Government for the human race, at a time when democratic theories were much more in fashion than at present, and when Europe had not as enlarged a political experience, called into existence that family of constitutional monarchies throughout Europe, which in most instances had succeeded so well. He hoped the noble Lord would give his utmost care to this important subject, and the first choice having failed so lamentably, he would try to discover—though not among the little princes or Germany—a King who would fulfil his constitutional duties, under whose sway life and property would be respected, and who would advance the social progress of the country. The parallel between Sardinia and Greece, must have struck most persons. It was the only part of a great race governed by a ruler of its own choice. As an example to the whole of the Greco-Sclavonic peninsula, extending to Constantinople, it was of the utmost importance that it should be well governed. He could scarcely believe his ears, when he heard the speech of his hon. Friend the Under Secretary for Foreign Affairs, the great Italian reformer—the Gentleman who during his whole life had been so indignant at the wrongs of Italy, the misgovernment of Austrian Lombardy, of Tuscany, and of Naples. Could it be possible that it was he—for he had taken down his words—who said that it was "intrigues which spoiled the Greeks"? As he listened to his hon. Friend, he really might have mistaken his sentiments for those of the Member for Honiton, with regard to Naples. The advice which his hon. Friend the Under Secretary for Foreign Affairs gave to the Christians of Turkey, was, that if they were well governed, it did not matter whether they were the subjects of Mohammedans or of a King of their own choice. That was a most singular instance of inconsistency. A change of position, as they all knew, sometimes entailed a change of opinion; but his hon. Friend—Turk as he was — must admit that Lombardy was a little better governed than the province of Roumelia. Even he must admit that there was more reason for the Greeks to desire a change than for those who had been subject to the Austrian yoke; that a Christian population did not like to be under a Mohammedan conqueror, and that the provinces of European Turkey could bear no comparison to any portion of the rest of Europe, not even to Greece itself, in cultivation and in civilization. Of all the Eastern people he had known, the Turks possessed the least idea of Western civilization. The Hindoo, the Persian, or the Affghan, he would even say the Tartar of the Caspian Sea, was infinitely superior to the Turk. Russia had civilized the Mohammedans under her sway, and made them vastly superior to the denizens of the Turkish Empire. He spoke the sincere convictions implanted by observation. Where were the Turkish universities, where the Turkish Merchants? Our Consul's reports told how Mohammedans treated the Christians. The name of Belgrade had been introduced into the debate. The hon. Under Secretary for Foreign Affairs had explained that the Pasha bombarded the town because an innocent Turkish fisherman had been killed.

Mr. **LAYARD** said, that what he had stated was, that among the various wrongs complained of, was the murder of two or three Turks.

Mr. **HENRY SEYMOUR**: And for that the town was bombarded! He thanked the hon. Gentleman opposite for bringing forward this subject. The Greeks having asked the son of our Queen to fill their vacant throne, the British Parliament was bound to see that the Government settled the question satisfactorily. The hon. Under Secretary looked down upon the Greeks, and stigmatized them as brokers, and not merchants. He had asked commercial gentlemen what that phrase could mean, and they were as little able to understand it as he was. If a firm like that of Ralli, for example, was not composed of merchants but of brokers, then the first firms in London also were not merchants but brokers. The Greek race was throbbing with a new life, and it was only the foot of a spy that was attempting to crush out that life. For the sake of the Greeks themselves, he should be sorry to see any province yet added to their kingdom; but they could not long remain deaf to the cry of the Greek Christians in Turkey. Their diplomacy had been wanting in that energy and decision which might have been expected from it, since the Treaty of 1856. The Turk was an Asiatic rather than a European, and ought to be peremptorily told, that if he did not introduce the reforms he had so often promised, his doom was sealed, and that not even the arm of England could shield him from the fate which surely awaited him. He rejoiced at the course taken by Her Majesty's Government in respect to the Ionian Islands, the proposed cession of which was a practical denial that we were, as a nation, actuated by the lust of conquest, and had gained for us the good opinion of Europe. In conclusion, he thought every Englishman must feel that the best mode of showing our sense of the honour done us and our institutions by the offer of the Greek throne, for an English Prince, was by extricating the Greeks from their difficulties as quickly as possible.

Lord **HENRY SCOTT** said, he would not have ventured to address the House had he not conceived that many hon. Members who had spoken had strayed very far from the question. The point really at issue was, whether Her Majesty's Government had followed a straightforward course in their conduct towards the Greeks. Having perused the papers before the House, he was sorry to say, that as far as he could make out, they had pursued a very double-dealing and Machiavellian line of policy in the matter. There had been a very animated discussion between hon. Gentlemen opposite as to the relative merits of Turk and Greek. That was not the first time the hon. Under Secretary had taken up the challenge thrown down to him on that head, and had espoused the cause of the Turk with all the warmth which usually characterized his advocacy. The real question, however, was as to when the candidature of Prince Alfred had positively been withdrawn. After the very able speech of the noble Lord the Member for Leicestershire (Lord John Manners) it was impossible not to see, that if Her Majesty's Government had as distinctly announced to the Greeks as their diplomatists announced to their agents, that Prince Alfred could not become the King of Greece, the unfortunate imbroglio in which the Greeks were now involved would never have arisen. Another question which it was material to consider was, whether Her Majesty's Government had really a right to drag the names of two most eminent members of the Royal Houses of Europe before the public without obtaining the previous sanction of those princes for doing so. It had been insisted upon by several speakers, and more especially by the hon. Under Secretary, that the choice and election of the Sovereign of Greece was to proceed from the Greeks themselves. Now, it occurred to him that that had not been allowed to take place, and that the persons who had really had the selection and nomination of the candidates were Her Majesty's Government. They had placed themselves in the unenviable position of going round about the world, and saying to this or that Prince, "Come, and let us offer you as a candidate for the Crown of Greece." Whatever might have been their motives —whether to obtain a predominant influence in Greece, or to secure to themselves the first choice of the King—it was not for him to say; but it seemed to him that their policy had been actuated more by a desire to exclude the Duke of Leuchtenberg than to give the Greeks the first opportunity of quietly selecting a Sovereign for themselves. He did not say it would not have been of advantage to exclude the Duke of Leuchtenberg; but if that object was to be attained, it should have been attained in a straightforward manner, not only by distinctly declaring, as Earl Russell did at first, but by consistently adhering to the declaration afterwards, that no candidate could possibly be accepted out of the reigning houses of the countries which had signed the treaty. Had the Government acted with similar candour and distinctness throughout the transactions, the Greeks would not have been placed in their present unenviable position. It was scarcely proper that the candidature of Prince Alfred should have been used simply to prevent the election of a Russian Prince.

MR. DARBY GRIFFITH said, that if the course which the Government had taken had had the effect of preventing another great Power exercising an undue influence over Greece, he was not prepared, having regard to all the difficulties with which they had had to contend, severely to censure the Government for the want of directness in their proceedings. At the same time, he was of opinion that the policy of successive Governments of this country, with regard to the East and to Greece, had not been consistent with any intelligible principle, but had been most wavering and contradictory. They made her a nation, and then deprived her of those very provinces which had been the cradle of ancient Greece. The name of ancient Greece could not be mentioned without Thessaly and Epirus suggesting themselves. The very names, Hellas and Hellene belonged to provinces which did not now belong to Greece. They had deprived her of these provinces, and they had imposed a Government upon her which was alien both in language and in religion. They offered them an acquisition—the Ionian Islands—upon the condition that they should make no use of it. What could be the use of the fortress of Corfu to them except to fill the Adriatic with gunboats; but they were to be forbidden to use it for the only purpose for which they would care to possess it—namely, to make aggression on the neighbouring provinces of Turkey. To make concessions with crippling conditions was a cheap kind of generosity. He was most anxious to know upon what constitutional doctrine that proceeding was founded. He had understood the noble Lord at the head of the Government to say that the prerogative, in virtue of which Her Majesty had offered to surrender the Ionian Islands, would authorize her, if she thought fit, to give up any other possession of the Crown. Some of his friends thought that the noble Lord could not have asserted such a position, and he was therefore desirous of knowing what interpretation the Law Officers put upon the prerogative in this respect. The cases which had been mentioned by the noble Viscount the other night were not at all analogous. No doubt, when a treaty of peace was being negotiated, the Crown was authorized to determine the conditions. But on such occasions the public were alive to what was going on, and had an opportunity generally of expressing their wishes. Therefore when Minorca was restored to Spain by the Treaties of 1783, or of Amiens, or on other similar occasions, the country was not taken by surprise. But in the present case Parliament was not sitting, and had not the slightest suspicion of what was going on, when the Ministry, wielding the prerogative of the Crown, entered into and might have completed the transaction. The Ministry were thus exercising a despotic power, and instances were not wanting of Liberal Ministries using the prerogative unscrupulously, as at the time of the Reform Bill, when they were not satisfied even by a verbal assurance, but actually required the King to sign a paper that he would swamp the House of Peers. If the Ionian Islands could thus be ceded, why not Gibraltar or Canada? It would therefore be extremely satisfactory to be told how far the doctrine of the Royal prerogative could be carried. The noble Lord the Foreign Secretary generally got himself into some difficulty during autumn, when Parliament was not sitting, and it was a matter of very grave consideration how far such a cession could take place without the immediate knowledge of Parliament.

MR. CAVE felt sure that no debate could take place upon the affairs of Greece without allusion to that most remarkable episode of a remarkable history, the proposed surrender of the Ionian Islands; he thought it was now full time for those who took an interest in the Ionian people to ask Her Majesty's Government how long those unhappy islanders were to drift on the uncertain sea of Greek politics, to the daily-increasing detriment of their best interests. It had been generally assumed, whenever this question had cropped up, as it were, in Parliament, that the Ionians desired separation from this country. He believed that to be an erroneous impression. He admitted that their Legislature had more than once passed resolutions to that effect, and they would probably do so again. He allowed that ordinarily the voice of the Parliament was to be taken as the voice of the people; but this was a very peculiar case, and it might be well to inquire whether since the hasty and inconsiderate changes which took place in 1849, during Lord Grey's Administration, but for which he was not entirely responsible, the Ionian people could really be said to have been represented at all. Even in this country it was sometimes difficult to say whether public opinion was the result of deliberate judgment, or merely the product of an organized agitation, which, while professing to educate the public mind, allowed it to dwell only on one side of the question; but in a small community like the Ionian Islands that was still more the case. Where there were few people of leisure, and the best men could not give time to public affairs, and especially where there was payment of representatives, politics degenerated into a mere trade, and public opinion, instead of pervading the whole community, was, like the *Demos* in the play of Aristophanes, only one character in the drama, and that not a very important one. Hon. Members scarcely knew perpahs how things were managed in the Ionian Parliament. Let them imagine a building with accommodation for the forty-two deputies on the floor, and some four hundred strangers in the galleries, who expressed their approbation or otherwise of the various speakers in a way which here would be considered very extraordinary, so that a debate was more like a scene at the hustings than a serious discussion in a deliberative assembly. Let hon. Members recollect that the franchise was practically low, especially in the towns, that political courage was not a conspicuous virtue of the Ionian character, and that the deputies were paid what was nearly equivalent to £300 a year in this country, and that the biennial protest against England gave them two advantages. The first would be appreciated nearer home; it was the *éclat* of patriots, martyrs, and conspirators, without the slightest risk. The second might be understood even within those walls; it was the speedy termination of the Session, which sent hon. Members back to their farms or their merchandise to enjoy their official salary without working for it, under the shadow of that Power they had openly defied. No inconvenience resulted from this. It had been provided for by the Constitution, and the Government was carried on during the long recess by the Lord High Commissioner and the Senate. This proceeding was, in fact, analogous to that House passing abstract Resolutions, a mode of obtaining popularity without responsibility; but playing with edged tools was a dangerous game, and had proved so in both cases. There was, indeed, a powerful party in the background, willing to bring things to a deadlock, that they might get rid of Lord Seaton's Constitution. They were still less sincere in the cry for separation. The right hon. Gentleman now Chancellor of the Exchequer offered them an amended Constitution. He did not think it would have answered, for the same reason that a similar Constitution did not work well in Jamaica; but it was a *bonâ fide* offer, and met most of their complaints. That was its fault. Agitators were the last people to desire the extinction of the grievances they denounced, and by which they lived. He had said that there was little public opinion in the Ionian Islands; but when the intelligence arrived that they were to be taken at their word, that real public opinion which was evoked by interest was aroused, and it was not too much to say that the news was received with universal consternation. The demonstrations in its favour were mere shams; that at Corfu was headed by a Zantiote, and composed of a few Greek priests and boys singing the Greek Marseillaise in the streets. The fact was, that the Ionians were too contented and too prosperous to wish for changes. The difficulties which followed Lord Seaton's ill-judged reforms, which threw succeeding Governments into the hands of a camarilla, by which we became the protected rather than the protectors to the just discontent of the people, had been to a great degree surmounted by the energy of the present Lord High Commissioner; and though Lord Russell's famous Turin despatch increased those difficulties by playing into the hands of the demagogues, yet he believed that to be true which was stated to him by an Ionian, who was no personal friend to the English (if he might be excused for repeating the exact words) "that every Ionian who had a pair of breeches was in favour of the protection." There were no more industrious, quiet, well-disposed people than the Ionians when left alone by agitators, especially the country people, and there was security of life and property throughout the Seven Islands which was not known in this country, and was wholly unknown in independent Greece. The evil reports they sometimes heard of them came from the fluctuating English population, who could not speak their language, took no pains to understand them, and sometimes, he regretted to say, treated them with that hauteur and want of consideration which was too often characteristic of our bearing towards foreign, and especially towards dependent races. From what he heard, however, he was afraid the present uncertainty was exercising a most unfavourable influence upon their character. They all had the fixed belief that some day they would be annexed to Greece. That idea was usually dormant, just as all hoped some day to grow old, but did not wish to precipitate the event. But they were an excitable race, and on such occasions as the present fell an easy prey to demagogues and agitators. But, whatever might be the result of this extraordinary measure in the islands, a more important question arose as to its effect on our ancient allies. We had heard a great deal lately of the regeneration of the Ottoman Empire, of its growing civilization and prosperous finances. Lord Hobart and Mr. Foster had been sent as a kind of dry nurses to that renovated youth; but was the present policy of Her Majesty's Government consistent with that deep interest in Turkey? The noble Lord could not be ignorant of the dangers which menace the Turkish Empire. He must know that Russia adhered to her traditionary policy; that arms were carried last year by Russian agents from Corfu to Montenegro; that arms accumulated in Servia, and that there was a confident expectation throughout the neighbouring provinces of Illyria and Dalmatia of a revolt among the Christian subjects of the Porte. Was this a time to make a demonstration on her other flank? the cession of Corfu would be a standing menace to Epirus and Thessaly. The great island of Candia would certainly be induced to revolt, When he was in the Turkish town of Prevesa, the Greek inhabitants who were voting for Prince Alfred openly proclaimed their hope that within the year Albania would be as much Greek as the opposite coast of Acarnania. This was so well understood on the Continent that the noble Lord's policy was a perfect enigma there. An influential French journal asked "whether he had thrown over his first love, or was, like Molière's *Don Juan*, trying to persuade each of his victims that he loved her alone." "For, unless," the journalist went on to say, "the noble Lord has abandoned Turkey, his Eastern policy can only be called political bigamy—*la politique bigame.*" But if that policy was difficult to be understood by others, how much more so by those who remembered the debate in 1861, on the Motion of the hon. Member for Dungarvan. He was not going to quote *Hansard ;* the actual words used did not signify, but he appealed to those who remembered the debate whether the hon. Gentleman now Under Secretary for Foreign Affairs, the Under Secretary for the Colonies, the Chancellor of the Exchequer, and the noble Lord at the head of the Government did not then give the strongest reasons against the cession of the Ionian Islands, and whether those reasons had not equal force now. He did not complain of change of policy ; and when changed, it was manly and honest to avow it, but they had a right to know the fact and the reason. Was it a concession to that party who were fond of exhibiting expenditure in one hand and aristocratic patronage in the other, and of turning them round in a kind of political thaumatrope till the two appeared inseparably connected ; or had Her Majesty's Government no settled policy at all, but were ready at one time to make war for Cervi, Sapienza, or Turk's Island, and at another to throw away valuable possessions, like the poor maniac who one hour crowned himself with straws and the next tore off his most necessary clothing ? The noble Lord, indeed, told them in the most decided tone that he was not going to give up Malta or Gibraltar, but in 1861 he had told them in a tone equally decided that he was not going to abandon the Ionian Islands. He (Mr. Cave) did not share in the unfavourable opinions entertained by many people respecting the Greeks. He looked on their future as more hopeful than that of Turkey. Again, he admitted that the Ionian Islands were not so important to England even with regard to our Indian communications as they formerly were, since the use of steam, and especially since the extension of railways down the Italian coast would shortly enable steamers to sail direct for Alexandria from Brindisi or Otranto without stoping to coal. But it must be borne in mind that in case of rupture with France or Italy the Trieste route, and therefore Corfu, might become again very important. He was not competent to speak of the strength of the works, but he was informed on very good authority that they could hold out for some months against any force which could be brought against them, and they must remember that in the days of Collingwood, when our sailors were not accustomed to shrink from desperate enterprises, those works, when far inferior, set at defiance the British squadron. There was no doubt, however, that these islands involved an annual outlay, and placed us in a somewhat false position. They could not stand alone, and their manifest destiny was to be absorbed in Greece, for Greek they were in language and feeling, even in Corfu, though some of the principal families were of Venetian origin—as much Greek as Attica, the population of which was half Albanian. He should have no objection to see them belong to Greece ; but then it must be to a well-governed and tranquil Greece — a Greece which would do them justice, and continue the good Government they had hitherto enjoyed, and not use them as stepping-stones to aggression upon her neighbours. Greece must show that she could rule five cities before she could claim to be intrusted with ten. The converse had been done in this case. Like a foolish parent who bribed a child to be good, we had with almost indecent haste offered the Ionian Islands to Greece as an inducement to be moderate, forgetting that we were dealing with the most subtle race in the world. They would take our bribe, but would they abandon that dream of extended empire which was ever present with them, and which we gave them additional means of realizing ? He believed that the expense of the occupation might be much diminished. The storekeepers and commissariat might be curtailed, and the engineers, who seemed to think it their business to change the face of nature in every possible way, might be checked. But, however that might be, he believed that the truest economy was the maintenance of the national character ; and it appeared to him that by thus precipitating what might have been later done with honour and propriety, the Government had acted unfairly towards our dependents, inconsiderately towards our allies, and gained neither the gratitude of Greece nor the good opinion of Europe.

MR. C. C. CLIFFORD said, that the people of the Ionian Islands might be divided into two classes—those who had got places, and those who wanted places. A few days before, he had received a letter from Corfu, in which the writer said, that when the news arrived of the proposed cession, an Ionian asked him what demon could have inspired the English Government to entertain such a horrible idea. "But how comes it," replied his informant, "that you, who were the great author and proposer of annexation to Greece, should now avow opinions so diametrically opposite?" To which the answer, full of charming candour, was, "That's true; but now I have got a place, then I wanted one." The misfortune of the islands was that the educated classes had no profession to follow. There was no army, no navy, no bar; the clergy were taken chiefly from the agricultural classes, and so there was no other resource open to those classes but to try for place under Government. There was thus one continual rush for places; and unless men succeeded, they would join in an agitation against any Government. He agreed, also, with the hon. Member who had just spoken, that it was a great misfortune to the Ionians to have paid representatives, for politics thus became a mere trade. While admitting that, however, his conclusion differed from that of the hon. Member. He believed that we were in a false position in the Ionian Islands. The people there were not British subjects. They were simply placed under British protection, and he thought it was a great pity that England had ever accepted such an invidious trust. The people had constantly remonstrated against the protectorate, and expressed their desire for union with Greece, but now that we had taken them at their word he believed that they would most bitterly repent it. Under British rule they had been much better governed than they would have been if united to Greece; but still the connection with this country had been unfortunate. He fully believed that the value of the islands had been much overrated. Corfu was no longer valuable as a naval station, and he was assured that during the war between France and Austria the news that the French fleet had steamed up the Adriatic on its way to blockade Venice first reached the Islands from the newspapers of the Continent. In his opinion the political interests of this country, as well as a regard for economy, would be best consulted by severing a connection which had been obnoxious, or been said to be obnoxious, to the inhabitants and prejudicial to ourselves.

VISCOUNT PALMERSTON: Sir, I own that when the hon. Member who made this Motion gave notice of his intention, my curiosity was greatly excited to discover what could possibly be the ground upon which he would found an attack upon Her Majesty's Government for its conduct in regard to this affair of Greece. And certainly the result of his speech has shown that, whatever talent he possesses—and I do full credit to it—even his ingenuity and that of those who have followed him have been very much at fault to find any tangible point upon which they could rest a real attack. They have been liberal in their personal abuse of my noble Friend at the head of the Foreign Department. But the able conduct of our foreign relations by my noble Friend is sufficiently well known to the public to make him perfectly indifferent to the personal attacks which have been made upon him this evening. And judging by recent allusions to the motives which influence persons in the Ionian Islands, who are described as only attacking the Government when they want places, I think, that if that be a reflection generally applicable to mankind, my noble Friend may be still more indifferent to the personal observations which have been made this evening. As far as I was able to collect that which has fallen from Gentlemen opposite, I think there are one or two things which have grievously weighed upon their minds, and which have excited on their part bitter regret and disappointment. The first is, that the Greeks should have exhibited so universal a desire to elect an English Prince. ["No, no!"] I will prove it, because one attack which has been made upon the Government is that we did not let the Greeks know that by our diplomatic engagements, and by considerations of our own, Prince Alfred could not accept the crown of Greece, and that we did not thus prevent his election. But those who raised that objection were compelled, by the papers which they held in their hands, to acknowledge that at the earliest possible moment we did let the Greeks know that our diplomatic engagements and our own Imperial considerations would prevent him from accepting the Greek crown. Then, when we had told the Greeks that Prince Alfred could not accept the crown if elected, and when in spite of that communication the Greeks went on with a full determination to elect him, hoping that—as they themselves avowed—in spite of the first refusal, those objections would be waived if he were elected by a unanimous vote of the Greek nation, it is said, "You committed an egregious fault because you actually told your Minister in Greece that he was not to interfere in the Greek election." Well, Sir, that was indeed a grave offence. Would hon. Members opposite, then, have had Mr. Scarlett and Mr. Elliot to have gone about to all the Greek hustings and all the assemblies where the elections were taking place, saying to the people, "Now, mind you are not to vote for Prince Alfred, but vote for anybody else you please?" Why, Sir, if we had instructed our Minister to interfere in any such way, we should have been told that it was most unbecoming thus to meddle with the domestic concerns of any foreign nation. We did our duty by taking the earliest opportunity of acquainting the Greeks that Prince Alfred could not be their King, if elected; but it would have been a gross impertinence on our part had we interfered in the election by trying to prevent the Greeks from voting in a particular manner. The noble Lord opposite (Lord John Manners) talked about the instructions given to our Minister which had reference to the conduct of the election, whether by ballot or open suffrage. Surely, the noble Lord could not have supposed anything so absurd? What was meant was what the plain words expressed —namely, that our Minister, having told the Greeks what the decision of the English Government would be, was not to meddle in any manner as to the mode in which they might see fit to express their opinions by their votes. Sir, I am astonished that hon. Gentlemen, Englishmen, should feel this sort of regret that the Greek nation have expressed such confidence in England. ["No, no!"] If that is not the feeling of hon. Gentlemen who have spoken from the other side of the House, what is it they mean, and what is it they would have had us do? Two things evidently weighed upon their minds —First, that the Greek nation should have been permitted to express a unanimous vote in favour of an English Prince; and, next, that they should not have been allowed to elect a Russian. That is the only conclusion to which we can come from the arguments that have been used. ["No, no!"] When hon. Gentlemen declare that we have befooled the Greeks, that we have deluded them, and brought them into a wretched condition, I deny every one of these assertions, and say that our course throughout was perfectly frank and straightforward. We told the Greeks from the first what our position was, and what would be the result of their election; and if they chose in spite of this to manifest their confidence in the British Constitution, and their attachment to the Royal family of this country, I say that instead of repining at that, as hon. Gentlemen do —[*Loud cries of* No!]—they may cry "No," if they please; but the country, when it reads this debate, will say "Yes!" —instead of repining at such a mark of confidence, they ought to feel proud at an election which enabled the Greeks in the face of the world to show their respect for England, and their admiration for the Royal family and institutions of this country. It is said that we have neglected the Greeks — that we have not taken pains to fulfil the trust reposed by them in the British Government with respect to suggesting to them a fit person to be their Sovereign. But, Sir, we have lost no time, and spared no pains, to accomplish that object. We have communicated with several distinguished persons whom we thought fit to be selected by the Greeks for the high post of reigning over that which, in spite of all that has been said, is, I believe, a most enlightened nation, and one destined to a high place among the people of Europe. The distinguished persons to whom our attention was directed as being fitted for the selection were persons who had other interests and other occupations which prevented them from accepting the throne. But, undoubtedly, we did from time to time let the Greek Government know we were in connection with these persons. We were greatly mortified, and the Greeks were much disappointed, when one after another these illustrious persons felt themselves prevented by their local duties and ties from allowing themselves to be put in nomination for the Greek throne; but we do not despair that we may yet be able to point out to the Greeks one who may be fit to perform the high duty of reigning over Greece and be acceptable to the people at large. At the same time, the selection of a Sovereign lies with the Greeks themselves; for we have not received, as my hon. Friend seems to suppose, plenary powers from that people to select a Sovereign for them. They are to exercise their own choice. All the British Government can do is to suggest a person who may appear fitting on the one hand, and whom they would be likely to accept on the other. Sir, it has been said that the Greeks are reduced to a lamentable condition. They are reduced to no lamentable condition. They have shown great moderation and prudence; they have conducted a great revolution in a manner that does them honour. There have been no acts of violence—no popular outbreaks. They have had great difficulties in arranging their Provisional Government, but they have done it to the best of their judgment, and nothing has happened to entitle any man to say that their condition is a miserable one, or that they have suffered in the eyes of Europe by the course which they have pursued. It is most meritorious on their part, because, undoubtedly, the Government they have suffered under for the last thirty years has been calculated to degrade and demoralize them. It has been a Government carried on by corruption for the purposes of arbitrary and despotic rule. It has been a Government on which a Constitution was forced in 1843, but which, from that time down to the last moment of its existence, endeavoured by every device and artifice to render that Constitution null. That endeavour was made by corruption of every description, which at last led to the events of October. And, Sir, when hon. Gentlemen say the Greeks are so difficult to govern that it will not be easy to find a prince to undertake that task, I say that a nation which has submitted for thirty years to such a Government as the Greeks have at last severed themselves from cannot be difficult to govern. There must be in such a people a latent principle of subordination and order which must give rise to a feeling of encouragement, and not of difficulty, in those who are called upon to take a part in managing their affairs. I should like to know in what manner we have laid ourselves open to imputation in our dealings towards Greece. I say that from the beginning of the negotiations to this moment we have been frank and straightforward in our language to the Greeks, and that we have been persevering in our efforts to find a prince willing to accept the throne who would be fitted for that high position and acceptable to the Greek nation. What has been said by my hon. Friend (Mr. Layard) as to the conduct of Russia is quite true. I will speak out. The shuffling and evasion on the part of the Russian Government were such that it was with the utmost difficulty we got them to acknowledge that the Duke of Leuchtenberg was, as he is, a member of the Imperial family. He is doubly a member of the Imperial family—First, as the son of the daughter of the late Emperor; and next, through an ukase by which he was aggregated to the Imperial family, and brought within the line of succession to the Russian throne. We had a right to expect a more frank and straightforward course of conduct on the part of the Russian Government at the outset than that which we had to contend with in bringing them to a frank and fair categorical admission that the Duke de Leuchtenberg is excluded by the protocol. Now, Sir, other topics have been brought into the discussion. My hon. Friend the Under Secretary has been taxed with having introduced the subject of Turkey and the European provinces of Turkey. It was not he who introduced it. It was my hon. Friend the Member for Galway (Mr. Gregory), who, soon breaking away from Greece, entered the lists in regard to Belgrade, Servia, and other places. My hon. Friend the Under Secretary followed very rightly, to correct the errors into which my hon. Friend the Member for Galway had fallen. From his knowledge and personal experience of the country, no man has a better right to express an opinion on the subject; and he has stated, that so far from Turkey being in a decrepid state, in which it is the fashion in some quarters to represent to the House, it has of late years made great progress towards that state of civilization at which we hope to see it arrive. My hon. Friend the Member for Poole (Mr. Henry Seymour) has used language which shows that he has prejudices against the Turks. He ought to get rid of those prejudices, for it is perfectly clear that education and intelligence are abroad in Turkey, and that the Turkish Government is improving. I trust their organization will go on improving from day to day. As to the Christians, no doubt there are privileges and equalities yet to be conceded to them; but they are much better off than they were at any former period. I will not go into "the siege of Belgrade," or the attack on the fortresses; but there is another question which has been introduced, and which is connected with the subject of the debate, although it was not much alluded to by the hon. Member who opened it—namely, the cession of the Ionian Islands. The hon. Member for Devizes (Mr. D. Griffith) strongly argued that they are a British possession, and that in the course of last autumn, when Parliament was not sitting, we alienated them. Now, first, the House knows that the Ionian Islands are not a possession of the British Crown; and secondly, it is aware, that though we intimated that under certain circumstances we should take certain steps which would lead to the cession of those Islands to Greece, yet nothing has been actually done. Therefore, when the hon. Member says we have surreptitiously alienated what he calls a possession of the British Crown, I must reply that we have done no such thing. The hon. Member for Shoreham (Mr. Cave) said he was much opposed to the cession which we proposed; but he added, that if the Greek Government would maintain order and peace, and conduct itself in such a way as to render the people happy, then it might be well to cede the Ionian Islands to Greece. But, Sir, the hon. Member has only paraphrased a passage in the despatch of my noble Friend; because these were the conditions on which my noble Friend said the Government was willing to take steps for a cession of the Ionian Islands to Greece. The hon. Member, though, began by stating facts which had come to his knowledge, to show that the Ionians were anything but willing to part with the English protection and be ceded to Greece. No doubt, as Greece was under the late Government, under King Otho, it would have been a misfortune for the Ionian Islands to have been transferred to Greece; and when we are told that we argued against the cession in 1861, it was because Greece was so ill-governed at the time that we felt it would have been a cruelty to be accessory to depriving the Ionian Islands of the protectorate of this country and ceding them to Greece; but if the Government of Greece becomes a good one, regulated by the principles referred to by the hon. Member for Shoreham, then the feelings of the Ionians may become entirely altered, and they may be desirous of being transferred to Greece. Again, he said, that annexation to Greece is the manifest destiny of those islands. If that be so, we are not to blame for saying the time may come when that destiny may be accomplished to their profit and not to our loss, and that we ought to aid in accomplishing it. The hon. Member says that we are laughed at in France for this transfer. Perhaps, in a country which very lately made such acquisitions, and in such a manner, as Savoy and Nice, the voluntary surrender of anything belonging to us may be looked on as a childish piece of folly; but I cannot help thinking that the example, if we set it, of a country on principle, and without any regard to selfish considerations, releasing a population from her rule on the ground that it is for the advantage of that population she should do so—I cannot help thinking that this may be an example so applicable to many transactions pending in Europe as to be not only honourable to England, but useful, and likely to lead to good results to other parts of Europe. I can only say, that I hope the hon. Gentleman who made the Motion will be content with having expressed his own opinions. We shall be ready to give any papers which may seem to bear usefully on the subject, and I hope that, notwithstanding the late hour, he will now allow us to go into Committee of Supply. I promise him that as tim eand the correspondence go on, or when there are other papers which may be useful to the deliberations of the House, we shall have no objection to produce them.

MR. SEYMOUR FITZGERALD: Sir, although in the course of this debate we have wandered from the subject originally before us, and various Members have taken us half over the map of Europe, yet at the same time the question itself is very short, simple, and narrow. The noble Lord who has just sat down, it is quite true, has recalled the House to the question before us; yet he, too, has—I think very adroitly—tried to lead away the House from the real point presented to our consideration by the hon. Member for Honiton (Mr. Baillie Cochrane). It seems as if the noble Lord was conscious of the weakness of his answer, and seemed to think that to the particular point under consideration the Government would not venture to reply. The noble Lord entered upon topics totally unjustified by the course of the debate, and which seem to me to have nothing on earth to do with the question before us. The noble Lord said he was suprised that the debate had been taken advantage of by those on this side of the House, and some other hon. Members, to make a personal attack upon the noble Lord at the head of the Foreign Office. Well, Sir, I have been in the House since the commencement of the debate—I have listened attentively to every speech that has been made, and I have not heard from the beginning of the evening to the present moment anything that in any form or shape could be construed into a personal attack. If criticism of a Minister and his policy is to be characterized as a personal attack, then I think there will very speedily be an end to freedom of discussion and an end of all comment on the policy of the Government. But the noble Lord went beyond that, for he told us that the debate had been taken advantage of by hon.

Gentlemen on this side of the House, who were moved with regret that a Russian Prince had not been placed on the throne of Greece, and that it had been made a matter of complaint by those hon. Members that the people of Greece had shown respect to the people of this country and their Sovereign by offering the crown to a British Prince. Sir, I say that not only no such reflection has been made by hon. Members on this side of the House, but, on the contrary, they have expressed a sentiment, on this and on the other side of the House, that the choice of the Greek people was a credit to Greece, as it was at the same time a high compliment to the Crown and people of this country. The question before the House is simple: it is whether the policy of Her Majesty's Government as regards the people of Greece in this question has been a frank, a straightforward, and an English one. No hon. Member has expressed regret that an English Prince had been selected by the Greek people; but it has been regretted that the policy of Her Majesty's Government has not been that which became the English Government. Now, what is really the history of this case? We have heard from the noble Lord at the head of the Government, in strong language, his opinion of the Greek people, and of the way in which this revolution has been carried through. We have been told that it has done them honour to have got rid of, what he calls, a corrupt Government, in the way they have done, without violence or bloodshed; that they have asserted their rights; that they have looked to the establishment of constitutional government; that they directed their first wishes to this country as being the best security to obtain such a form of Government; that they disclaimed the desire to wage war or commit acts of aggression on their neighbours; and that they had desired solely to obtain their rights in a peaceable and constitutional manner. This is what the noble Lord has stated as the object of revolution. Well, what is the position of the Greeks now? They are without a Government and without a Sovereign, and on this very day we receive news from Greece that the army is divided into two parts, and that the Greeks themselves are in hourly fear of massacre and anarchy. We ask ourselves what it is that has produced this state of things? How is it that a revolution which at its outset was so hopeful, which in its course, and in the various steps taken by those who promoted it, did so much credit to the people, has led to results so contrary to all that was hoped or expected? Instead of constitutional government, you have anarchy; instead of peace, the fear of massacre and bloodshed. The reason is this—the hopes and wishes of the Greek people have been trifled with. That the opportunity has been lost of establishing a constitutional government in that country, that now they are drifting hopelessly on the sea, is, we believe, to a great extent the result of the policy of Her Majesty's Government. The hon. Gentleman the Under Secretary for Foreign Affairs, and the noble Lord at the head of the Government, have not dealt fairly with the House in quoting the papers to which reference has been made. Scarcely any one in this House, I believe (unless it be an hon. Friend behind me, judging from a chance expression which he dropped), will regret that Prince Alfred did not accept the throne of Greece. I believe that the acceptance of the throne by His Royal Highness would have been a most fruitful source of complication and embarrassment and danger to this country, and would have contributed neither to the peace nor the future honour of His Royal Highness. Therefore, I put that altogether out of consideration now, because nobody regrets it. But what we regret is, that Her Majesty's Government, having in the first instance adopted a clear, open, and decided policy, and boldly announced it in the most unmistakable terms, afterwards, for reasons which I shall presently advert to, changed their tone, and allowed the Greek people to believe it was possible, if Prince Alfred were elected, that he still might accept the throne, and that at the last moment the Greeks found their hopes most cruelly disappointed. I am not going to refer to the papers at any length. They have already been referred to in the debate, and on all sides it is quite conceded, both on the part of those who impeach the conduct of the Government, and on the part of the Government, who themselves have pointed it out, that in the first instance they clearly announced their opinion that any member of the Royal families of the three protecting Powers was ineligible to the throne. With that we entirely agree, but what we say is that you afterwards changed your tone, and that can be easily proved by reference to one despatch. After the noble Lord at the head of the Foreign Office had communicated, in the most open terms, his opinion that no member of the Royal families of France, Russia, or England were eligible, and had directed Mr. Scarlett not only to express that to the Ministers, but to make the opinion of the English Government known in all quarters wherever he possibly could, he sent a telegram on the 16th of November, which is thus referred to by Mr. Scarlett, in a despatch dated November 24, and received on December 6—

> "Your Lordship is aware that on account of the uncertainty hanging over the question of a successor to the throne of King Otho, and more especially since I received a telegram from your Lordship (dated the 16th of November) directing me 'not to interfere at all in election of the King,' but to leave them 'to choose whom they like,' I have, in my position here, maintained the necessary reserve on that important subject. When informed previously that a demonstration was likely to occur in front of the Legation, in order not to give umbrage to any of my colleagues I purposely left the house, and by my language deprecated the intention of the Greeks to make any manifestation of this kind before my residence, thinking it might have the effect of compromising Her Majesty's Mission, and causing a false construction to be placed on the neutral line of conduct I had determined to adopt."

It was perfectly clear that at that time Earl Russell had, in the first instance, directed Mr. Scarlett to announce, not only to the Greek Government, but wherever he possibly could, in society, to public bodies, and others, the statement that Prince Alfred could not be elected. He then sends another telegram desiring him to let it be known that the Greeks may "choose whom they like," and directing Mr. Scarlett not to interfere in the election. That telegram, according to Mr. Scarlett, throws the Greek people into the most utter uncertainty as to the future. We will go on a little further. Mr. Scarlett speaks of a demonstration in favour of Prince Alfred, and he says that in returning thanks for this demonstration he merely thanked them for the honour they had done His Royal Highness, and expressed sympathy for the Greek nation; but he does not any longer say, as Earl Russell had desired him in the first instance, that it was impossible for Prince Alfred to accept the throne. On the same day there is another demonstration, and when he is asked to be the bearer of the sincere and unanimous wish of the people to have Prince Alfred for their King, Mr. Scarlett replies that he is "not authorized to give them an answer on this matter." Not authorized to give an answer on this matter! Why, the instructions he received from Earl Russell in the first instance were, that he was to make it known everywhere that Prince Alfred could not accept the throne; and it is only until uncertainty is produced by this telegram that this modified answer is given by Mr. Scarlett. Is that all? On the following day, Sunday, a still larger demonstration took place, and, in describing the form of it, he says—

> "I was addressed in the same manner, and spoke on this occasion to the same effect, adding that I felt bound to continue my reserve with regard to the name of Prince Alfred, whose acceptation of the throne of Greece depended on considerations which I was unable then to determine."

Is it not perfectly clear from these papers which the Government have given us, that in the first instance they intended to exclude the members of the three Royal families; and then, finding Russia willing to agree to it—nominally, but not really, because, although Russia was willing to agree to the protocol as regards the members of the Royal family of Russia, she wished to exclude from that description the Duke de Leuchtenberg—is it not clear that the British Government, finding that, changed their tone and allowed it to be considered by the Greek people as possible that Prince Alfred might be elected, and that he might possibly accept the throne? And that with this double object—they knew, on the other hand, that Prince Alfred was the more popular candidate of the two, and they thought that if he were withdrawn, the Duke de Leuchtenberg might be elected, and they therefore allowed the Greek people to think that Prince Alfred might be elected, and might accept the throne, in order to prevent, as far as lay with them, the election of the Duke de Leuchtenberg. And this was further done with another object as regards Russia—that the Russian Government might be put in this position, finding that the Duke de Leuchtenberg had no chance, that the popularity of Prince Alfred was such that his election was secure, they would be driven to acknowledge that the Duke did come under the description of a member of the Royal family of Russia, and was therefore excluded from the throne. Her Majesty's Government succeeded in this—they succeeded in preventing the Duke being elected, and in obtaining a declaration that he was ineligible because Prince Alfred was ineligible. But is that a policy which the English Government ought to pursue—trifling with the feelings and aspirations of a whole people? Is this a straightforward, frank, and candid course? No, Sir; it appears to me to be a disingenuous policy, to be a tricky policy, and one that reflects no credit on this country or on the Government. This is the charge that has been made against the Government, and it is that which they have not sought to meet except by inaccurately quoting papers which they themselves have supplied. There are other grounds of quarrel I have with the Government. Having thus, as the hon. Member for Honiton has well said, befooled the Greek people, they make that people and themselves ridiculous; and why? Because, throughout, as it appears to me, their policy has been one of impulse, and they have acted without consideration and advice. As regards candidates, they have proposed King Ferdinand of Portugal, who, it was soon found, would have nothing to do with the Greeks. Would it not have been more reasonable to have ascertained his wishes and feelings before they proposed him to the Greek people? Then they took the same course with regard to the Duke of Coburg. Would it not have been as well if they had ascertained the grounds on which they were proceeding before they proposed his candidature, and went the length of authorizing the minister at Athens to announce his acceptance of the throne? Has not this hasty, hand-over-head policy, which has marked their choice of candidates, characterized the course of the Government in reference to the Ionian Islands? Before Greece had a government, they said they were willing to give up the protectorate if the Sovereign to be elected would do as Otho had done thirty years before—promise everything and fulfil nothing. Did it never strike the Government that there were others to be considered—that the question might be deemed by the British Parliament of sufficient magnitude and importance to deserve their consideration. Did it never strike them, before throwing this apple of discord among the people in the East, that it might be as well if the Ionian people were consulted. The noble Lord the other night told us that this was a mere offer, and that it went for nothing—he said it meant nothing because it was necessary to consult the other parties to the Treaty of Vienna before the protectorate could be given up. Did it not strike the noble Lord that Austria was deeply concerned in the matter, and that her consent might have been asked? Or was this intended to show a piece of cheap generosity, in exhibiting to the Greek people the readiness of England to make the cession, and throwing the odium upon Austria of standing in the way? It appears to me that the policy of the British Government has been throughout hasty and ill-considered, and that from the beginning to the end—whether looking to their negotiation with Greece as regards the candidates proposed, to the cession of the Ionian Islands, or still more looking to the conduct they pursued towards the Greeks in first refusing Prince Alfred, then encouraging them to hope, and finally denying them — their conduct has not been such as to reflect honour on this country, and that is certainly a charge which her Majesty's Government have not successfully met this evening.

Mr. BAILLIE COCHRANE said, after the appeal which had been made to him by the noble Viscount, he would not divide the House. The noble Lord had misrepresented him. He had never said that the Greeks were difficult to govern. On the contrary, he expressed his admiration of their conduct in the increased difficulties consequent upon the noble Lord's policy. It was also a misrepresentation to say that hon. Gentlemen on those (the Opposition) benches regretted the popularity of Prince Alfred. He had said himself, that it was the noblest testimony which could be given of the high opinion entertained towards Her Majesty and English institutions. The conduct of Earl Russell had excited false hope, and was disrespectful to the Sovereign in making use of Prince Alfred's name for the sake of a diplomatic intrigue.

Motion, by leave, *withdrawn.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

STOPPAGE OF OFFICERS' PAY FOR FORAGE.—ADDRESS MOVED.

Colonel BARTTELOT said, he rose in pursuance of notice, to move—

> "That this House will, To morrow, resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying

that She will be graciously pleased to give directions that the stoppage from the pay of Cavalry and Horse Artillery officers for forage be discontinued.

The question, though brought under the consideration of the House on previous occasions, stood now upon different ground to what it did before. Field officers of cavalry and horse artillery were permitted to keep four horses, and obliged to keep two, and for each horse 8½*d.* per day was stopped. Captains were permitted to keep three horses, and obliged to kèep two, and for each horse in like manner 8½*d.* was stopped. Lieutenants and cornets were obliged to keep two horses for the benefit of the service, and 8½*d.* was likewise stopped from them. Now, he contended that it was wrong to say that the pay of a cornet was 8*s.* a day, and then to deduct from it 1*s.* 5*d.*, which, in reality, reduced his pay to 6*s.* 7*d.* The mess in a cavalry regiment was exceedingly expensive; and if he put down the expenditure of a cavalry officer at 10*s.* a day, he was sure that he was not putting it at two high a figure. In consequence of the examination system, of which he did not complain, so many rich men did not enter the service at the present day as was formerly the case, and therefore officers, as a general rule, were less able to dispense with the money which was deducted from their pay for forage. The deduction operated, he might add, with the greatest severity in the case of those officers who were raised from the ranks for their good conduct, and who were obliged to keep up the appearance of gentlemen on very small pay. It was not a small matter to have £26 a year deducted from the pay of subalterns; £39 deducted from the pay of captains; and £52 a year deducted from the pay of field officers. The subject had been brought under the notice of the right hon. Gentleman the Member for Huntingdon and the late Lord Herbert, when in office, and had not only received their favourable consideration, but had been pressed by them on the Lords of the Treasury, who stated that on certain conditions they might agree to the discontinuance of the stoppage. Those conditions had been complied with, hence the different grounds on which the case now stood. The commissions had been reduced, the high prices over regulation had been diminished, and you had got that class of officers which the Treasury thought were most likely to remain in the service. He trusted the right hon. Baronet who was now at the head of the War Department would look upon it in the same light, and that he would meet with the co-operation of the Treasury in removing a charge which was a great detriment to the service.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, To-morrow, resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying that She will be graciously pleased to give directions that the stoppage from the pay of Cavalry and Horse Artillery Officers for forage be discontinued,"

—instead thereof.

SIR GEORGE LEWIS said, that it was the misfortune of the Secretary for War, in proposing these Estimates to the House, to be placed between two antagonistic forces. On the one side he had to contend against hon. Gentlemen, who complained that the Estimates were extravagant, that the charge for the army was excessive and ought to be reduced; while, on the other, he was pressed by other Gentlemen in an opposite direction, who wished to increase the expense of the army beyond what had been proposed by her Majesty's Government. Upon a late occasion, reference was made to what was said to be the excess of cost of the English army over certain foreign armies, and particularly was it mentioned that the expense of a soldier of Denmark was only £12 a year, and that was held out as a model for our imitation. Well, upon the present occasion, the hon. Gentleman said that the pay of a cavalry officer was insufficient, and he proposed in substance an addition to their pay. ["No, No!"] Well, if it was not an addition to their pay, he would be glad to know what it was. If the remission of a stoppage from a man's pay was not substantially an addition to his pay, he really was at a loss how to designate it; and it was impossible for the House to regard it in any other view. Now, it would be necessary, if this Motion were agreed to, to bring in a supplementary Estimate for about £20,000. The matter had been considered in former years, and there was no doubt that former Secretaries for War had taken a favourable view of the scheme, but it must be observed that the price of a commission of a cavalry officer was higher then than it was at present. A few years ago the price was lowered to the standard of the infantry. That circumstance had been rather ingeniously used as a reason for this addition to the pay of a cavalry officer because, said the Mover, a different class had been admitted to the cavalry. Still the reduction in the price of the commission must be regarded as a benefit to the persons who purchased, and therefore was rather a reason against the increase of their pay. Under all the circumstances of the case, he regretted to say that it was not in his power to accede to the Motion.

COLONEL NORTH said, they put down the pay of a cornet at 8*s*. per day, and obliged him to keep two horses, for which they deducted the charge for forage. Now, it would be much fairer to set down his pay at 6*s*. 7*d*., which was really the amount. He should like to know why the deduction in the case of the horse artillery was only 6*d*. The horses ate the same amount of forage—the same forage when stationed in the same garrison. Under what regulation or system was this state of things permitted? [SIR GEORGE LEWIS: They are a scientific corps.] Scientific? Are the horses scientific? [SIR GEORGE LEWIS: But the officers are.] Well, that might be, but that was no sufficient reason why their horses should not require as large a quantity of forage as those of others, and he trusted the House would see the propriety of yielding to the appeal which had been made to them by his hon. and gallant Friend below him.

COLONEL DUNNE said, he thought it possible to reduce the expenditure on the army in various directions, but he would not do so by deducting the pay of officers for the forage of horses which they were compelled to keep for the good of the service. But it seemed to be the principle of Government to stick to abuses, and to refuse reforms where they would be useful and truly economical. It was because they would not reduce the monstrous excrescences that attached to the expenditure of the army that they were unable, by complying with the Amendment, to do an act of justice to a deserving class of officers.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 107; Noes 75: Majority 32.

Main Question put, and *agreed to*.

SUPPLY—ARMY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) £635,637, Barrack Establishment.

LORD WILLIAM GRAHAM said, he wished to inquire how it was that at page 21 there was an item of £25,000 for washing and repairing barrack bedding, and at page 25 a further sum with respect to hospitals, for repairing bedding. Then for washing of sheets a sum of £10,000 was paid into the Exchequer by private soldiers, who were charged 2*d*. a month for that purpose. He wanted to know whether they were charged that money in the Colonies as well as in the United Kingdom, and when in billets as well as in barracks? He was informed, that when the Guards were in London, they did not pay for their washing, but somebody else did—namely, the Corporation of London. He hoped the right hon. Gentleman would be able to give some explanation of this matter.

GENERAL LINDSAY said, he thought the soldier should be relieved from the charge for sheet-washing at barracks.

MR. WYLD said, the present canteen system of the British army was not in harmony with the spirit of the age. The system of letting them out to contractors was very bad, and he knew one man who made £10,000 a year by them. The experiment made at Chatham, he believed, had succeeded in improving the character of the soldiers there. He saw no reason why the rooms in them, instead of being dark and ill-ventilated, should not be rendered light, and furnished with newspapers and other periodicals.

SIR MORTON PETO said, he felt it his imperative duty to call the attention of the Secretary at War to a painful subject, The establishment of camps at Aldershot and other places had produced a fearful amount of immorality and disease in the neighbourhood of those camps. From information which had reached him regarding the camp at Aldershot, he believed the careful attention of the Government was urgently required to the state of things there. There were no police regulations there. The French and other Governments on the Continent, who had for several years past formed military camps, had provided in connection with them various means of amusement and employment, which had tended very much not only to lessen the evil to which he referred, but to improve and elevate the minds of the soldiers. He knew that the Secretary at War was deeply interested in any movement beneficial to the army.

Sir GEORGE LEWIS said, that during the recess his attention had been attracted to the subject of canteening. He had not found the evils of which the hon. Member for Bodmin (Mr. Wyld) spoke, so generally prevalent, and at present he was at a loss to know how any material alteration of the system was to be produced. No doubt, it was to be wished that the soldier would not drink spirits or beer; but that state of perfection was not likely to be attained for some time; and if the soldier did consume those intoxicating liquors, he was not aware whether a preferable mode of supplying them to that which existed could be devised. With respect to the painful subject adverted to by the hon. Member for Finsbury, he could say that it had not escaped the attention of the Government, who had caused an inquiry to be instituted respecting it. They were in possession of an official Report on the subject, founded upon a careful investigation of facts and statistical accounts. It was difficult to exaggerate the evil as respects both the army and the navy, and he was afraid that it would be very easy for him, with the assistance of the Report to which he had alluded, to lay before the House a picture conveying an idea of the great intensity and depth of the evil. The difficulty consisted in suggesting such a remedy as would conform with public opinion in this conntry, and which the majority of that House would be likely to assent to; but he did not altogether despair of devising some practical means of mitigating the evil, and he thought that in the course of the Session it might be possible for him to call the attention of a Committee of the House, at all events, to the subject.

Vote *agreed to.*

(2.) £46,097, Divine Service, *agreed to.*

(3.) £43,012, Martial Law.

Mr. CHILDERS observed, that he thought the expenditure for military prisons was capable of reduction.

Lord WILLIAM GRAHAM said, he would recommend the military prisons to the consideration of the right hon. Gentleman the Home Secretary as a model for the civil ones, as they were really a terror to evildoers.

Lord LOVAINE pointed out that there was an increase in the items for subsistence.

Colonel W. STUART commended the effectual and economical administration of the military prisons.

Sir GEORGE LEWIS explained that the Vote for the administration of martial law appeared separately in the Estimates for the first time. The increase of £12,000 for subsistence was only nominal, as a deduction on that account was made from the soldiers' pay. Formerly the balance only was stated, but now the whole sum was set down. As the number of inmates in each military prison was small compared with the proportion in civil prisons, the expense was, of course, greater.

Vote *agreed to.*

(4.) £255,993, Medical Establishments.

General PEEL said, he could not but express his regret at the diminution of the Staff. The warrant founded on the Report of the Sanitary Commission of 1858 was calculated greatly to improve the medical establishment, by inducing talented men to join. Its provisions had not, however, been carried out, and he thought the medical officers had just ground for complaint. The result was that the number of candidates was falling off, so that on a recent occasion, when there were forty-five vacancies, only fifteen candidates appeared, and some of these broke down under the qualifying examination.

Sir GEORGE LEWIS said, there had been some difficulty in the navy in regard to the warrant. Negotiations had been opened with the Admiralty, and he hoped that before long the warrant would be issued in a form likely to be satisfactory to all the medical officers. The numbers of the staff medical officers were given in accordance with the return of the Medical Director General. The reductions had been chiefly effected in foreign stations.

Colonel DUNNE said, he thought that the item for purveying staff, which had sprung up of late years, was capable of reduction.

Lord WILLIAM GRAHAM said, he wished to ask for some explanation respecting the appointment of a civil medical officer, whose salary, being a civilian, did not appear in the Estimates.

Sir GEORGE LEWIS said, he was not aware that Dr. Sutherland, the gentleman referred to, held any permanent office in the War Department. He was a sanitary commissioner, and was engaged on several inquiries.

Vote *agreed to.*

(5.) £751,084, Disembodied Militia.

COLONEL DUNNE said, that the Government proposed a Vote for the English Volunteers, but none for the defence of Ireland. There ought to be a Vote for longer time for the drill of the militia regiments, or some equivalent, for defensive purposes, to the English Vote for Volunteers.

COLONEL DICKSON said, he thought that the War Office ought either to increase the pay of militia surgeons, or withdraw the circular requiring them always to remain at head quarters.

VISCOUNT ENFIELD said, he wished to inquire, whether the Secretary for War had taken into his consideration the Report of the Committee of last Session on the pay and duties of army medical officers?

SIR GEORGE LEWIS said, it was his intention to act upon the Report of that Committee, and the present Estimates included the additional sum necessary for that purpose. With regard to the claim put forward by the hon. and gallant Member (Colonel Dunne), it was impossible to give money to the Irish militia regiments as a bounty, because there were no Volunteers in Ireland.

COLONEL DUNNE said, that no one would assert that the time the Irish militia were out was enough to render them efficient.

Vote *agreed to.*

(6.) £94,162, Yeomanry.

LORD LOVAINE said, he would move that the Chairman report progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

Motion, by leave, *withdrawn.*

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow*; Committee to sit again on *Wednesday.*

NAVAL COAST VOLUNTEERS ACT AMENDMENT BILL (*Lords*).

[BILL 55.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. H. BERKELEY said, he rose to oppose the Bill. It consisted of one clause only, empowering the Admiralty to send the Volunteers to any part of the world; whereas by the existing Act they could not be sent to a greater distance more than 300 miles from the British shores. If the Bill should pass it, would go far to destroy the Naval Volunteer Service. The men of the Naval Volunteer Service lived on the sea coast, and were engaged mostly in the fisheries, and they were the best security for the country, but they strongly objected to be removed from the localities in which they lived. The force had been created by the late Sir James Graham and a near relative of his (Mr. Berkeley's), Lord Fitzhardinge, who, if his health had permitted it, would have been in his place elsewhere to oppose the Bill. The only reason he had heard for the Bill was that in the case of a war, if a privateer were to appear on our coast, a captain of a vessel manned by Volunteers would be unable to follow that privateer beyond certain limits. Now, the answer to that was that no vessel having Englishmen on board would ever decline to follow an enemy anywhere. He moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

LORD CLARENCE PAGET said, he regretted that the Bill should not be approved by so distinguished an officer as Lord Fitzhardinge, who had done so much for the manning of the navy. Times had changed since the formation of the force, when men were alarmed at the possibility of having to serve in war time on board one of Her Majesty's ships. Now, the whole merchant service was proud of belonging to the Naval Coast Volunteers and Naval Reserve. It would he almost an insult to the coasting men of the country, if they were not allowed to participate in any future war; no doubt, they would be just as ready to serve the country then as the Naval Reserve could be. But without some alteration of the existing Act, it would be practically impossible to make use of those men. Suppose the case of a ship like the *Alabama* chased by our Channel vessels. It would contravene the Act of Parliament for our cruiser having Coast Volunteer men on board to proceed further than 300 miles from the coast, and so she might be obliged to turn round just as she was on the point of coming up with the chase. It was very well to say that the captain in such a case would proceed, but in doing so he would contravene the terms of the Act. It should be understood, however, that the Bill had not a retrospective effect; it would not apply to men now in the force, unless they entered afresh, expressly under its provisions.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read 3°, and *passed.*

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, March 17, 1863.

MINUTES.]—PUBLIC BILL—*Committee*—Union Relief Aid Act (1862) Continuance (No. 35).

EDINBURGH CASTLE—GUNPOWDER STORE.—QUESTION.

THE EARL OF AIRLIE rose to ask the noble Lord the Under Secretary for War, Whether it is the case that 100 Tons of Gunpowder are stored in Edinburgh Castle; and, if not, what is the quantity usually kept there? The noble Lord said, he had been induced to give direct attention to this subject, owing to the statements made in a correspondence in one of the Scotch newspapers. There appeared to be no doubt whatever that there was a large quantity of gunpowder stored in the Castle, and it was apprehended, that if an explosion were to occur, there would be an immense destruction of property and loss of life. It appeared to him that there was no necessity for so large a quantity of powder being stored in the Castle. He understood, moreover, that there was less necessity for it, as there were proper magazines elsewhere in which any quantity might be stored. He hoped the noble Earl the Under Secretary for War, would be able to appease the minds of the people of Edinburgh on the subject.

EARL DE GREY AND RIPON replied that his noble Friend had been rightly informed as to the amount of powder kept in Edinburgh Castle. In fact, at the present time there were 2,700 barrels, containing somewhat more than 100 tons; but it must be remembered that from this store issues were constantly made: the issues amounted to 2,000 barrels annually, and therefore during the greater portion of the year the quantity in store was small. The powder, which was kept in a bombproof magazine, as secure as such a magazine could be, was served out to the whole of the southern district of Scotland for the purposes of the artillery, line, and Volunteers. It had been customary, for a long period of time, to keep a considerable amount of gunpowder in Edinburgh Castle; and as no such disaster as the noble Earl had suggested had hitherto occurred, he trusted we might enjoy for the future the same security which we had experienced in the past.

THE EARL OF DALHOUSIE said, though he did not apprehend an explosion, he thought, that if they could avoid storing so large a quantity of gunpowder in the Castle as 100 tons, they ought to do so. He understood that there was a large magazine at the head-quarters of the Artillery; and if that were true, he thought it advisable that the greater portion of the powder should be kept at that place.

THE EARL OF MALMESBURY called attention to the position of the Tower of London. A large quantity of new rifles was there at the present time, together with other valuable stores. Now, he had observed that on the quays between the Tower and the river, which he believed belonged to Her Majesty's Government, there were piled immense masses of crates, wood, hay, and other inflammable materials. If those materials were to take fire, nothing could save the Tower, and it would be a fearful calamity to have the Tower burnt a second time.

EARL DE GREY AND RIPON said, the Tower was a storehouse from which issues were constantly made. He was not aware that combustible matter had been allowed to accumulate upon the wharf, but he would make inquiry on the subject.

THE EARL OF HARDWICKE said, that there was an excellent magazine at Edinburgh Castle, and he apprehended that a large quantity of powder was stored there simply for this reason, because it was the safest place in which it could be kept.

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 17, 1863.

MINUTES.] — PUBLIC BILLS — *Ordered* — Public-houses.

First Reading—Sale of Gas Act Amendment [Bill 61]; Writs Prohibition (No. 2) [Bill 62]; Statute Labour Roads and Bridges (Scotland) [Bill 63]; Statute Labour Roads and Bridges (Scotland) Transfer [Bill 64]; Thames Embankment (South Side) [Bill 65].

Select Committee — on Thames Embankment (North Side) Bill, *nominated.*

Committee—Consolidated Fund (£10,000,000).

Report—Consolidated Fund (£10,000,000).

Third Reading — Post Office Savings Banks [Bill 22]; and *passed.*

Bill withdrawn—Writs Prohibition [Bill 34].

TICKETS OF LEAVE.—QUESTION.

MR. PERRY WATLINGTON said, he would beg to ask the Secretary of State for the Home Department, If the following conditions are not still endorsed upon Tickets of Leave granted to Convicts in England; and, if not, whether he will lay upon the table of the House a copy of the Conditions upon which such Licences are now granted:—1. The power of revoking or altering the Licence of a Convict will most certainly be exercised in case of his misconduct. 2. If, therefore, he wishes to retain the privilege which by his good behaviour under penal discipline he has obtained, he must prove by his subsequent conduct, that he is really worthy of Her Majesty's clemency. 3. To produce a forfeiture of the Licence it is by no means necessary that the holder should be convicted of any new offence. If he associates with notoriously bad characters, leads an idle and dissolute life, or has no visible means of obtaining an honest livelihood, &c., it will be assumed that he is about to relapse into crime, and he will be at once apprehended and recommitted to prison under his original sentence?

SIR GEORGE GREY, in reply, said, the conditions referred to were not, and never had been, in force in England. If the hon. Gentleman would move for the form of the licence under the Act, and the notice endorsed upon it, there would be no objection to produce them.

BANKRUPTCY RETURNS.—QUESTION.

MR. MURRAY said, he wished to ask Mr. Attorney General, When the Annual General Return, judicial and financial, required under the 67th section of the Bankrupt Act, 1861, to be framed from the Returns made to the Chief Registrar of the Court of Bankruptcy, will be laid before Parliament?

THE ATTORNEY GENERAL said, in reply, that some delay had occurred in obtaining the Returns from the country, but that he hoped to lay them on the table the first day the House met after the Easter recess.

RIOTS AT CORK.—QUESTION.

MR. VANCE said, he wished to ask the Chief Secretary for Ireland, If he had received any Report of the damage which had been inflicted on the citizens of Cork during the riots which took place on the evening of the 10th of March, and if any of the perpetrators of such outrages had been made amenable to justice; if not, what steps the Government intended to take for that purpose?

SIR ROBERT PEEL said, that no doubt considerable injury had occurred in consequence of the disturbances which took place at Cork on the night of the 10th of March. The Government had cause to be aware on the previous Saturday that it was probable that some disturbances would occur, and in consequence of a requisition, addressed to the Government, eighty additional constabulary were sent into the town. During the night in question considerable rioting took place in Cork, and those tradesmen and other citizens of the place who had illuminated their houses had their windows broken, and the Mayor of Cork himself was roughly handled. About four o'clock in the morning a body of infantry was sent from the barracks; but when the soldiers arrived where the disturbances took place their services were no longer necessary. He believed that some of the perpetrators of the outrages had been brought before the local courts and were likely to be made amenable to justice. In consequence of a requisition forwarded to the Government, and of a communication from the Mayor of Cork, the Government had offered a reward of £50 for the discovery of the disloyal perpetrators of those outrages.

PUBLIC-HOUSES.—LEAVE.

MR. SOMES moved for leave to bring in a Bill for closing Public-houses on Sundays. The hon. Member said, he would defer entering into an explanation of the details of the measure until the Motion for the second reading.

Mr. PACKE said, it would be contrary to justice, and entirely opposed to the feelings of the people of this country that accommodation should not be afforded for supplying refreshments at public-houses on Sundays. Though he was opposed to improper drinking and riotous conduct on Sundays, yet he thought the Bill now sought to be brought in for entirely closing public-houses on Sundays would be fraught with such injustice, especially to the poorer classes, that he should take the somewhat unusual course of opposing its introduction.

Sir GEORGE GREY stated, that having been communicated with by the hon. Member who proposed to introduce this Bill, he told him, that as it was unusual to oppose the introduction of a Bill, he should offer no opposition to the Motion for leave to bring in the Bill; but he gave the hon. Gentleman no hope that he would assent to the Bill on the second reading. Subject, therefore, to the understanding that he must not be supposed to give any sanction to the measure, he was willing to assent to its introduction.

Mr. BAINES hoped the hon. Member (Mr. Packe) would not persevere in opposing the introduction of the Bill, which had been asked for by thousands of the most worthy, the most intelligent, and the most religious of the population. It was in principle the same as that which had been applied in Scotland, where it had been found to succeed thoroughly—and not merely to have succeeded, but to have received almost the universal assent of the people and even of the publicans. Perhaps the Bill might require some amendment, but that could be done in Committee.

Mr. ROEBUCK begged to give notice that in the very improbable event of this Bill being read a second time, he should, on its going into Committee, move the addition of a clause including every club in London on the Sunday in its provisions.

Mr. HORSFALL said, he was surprised at the opposition to the Bill. It appeared to him that the law was most inconsistent. The sale of bread and meat and necessaries of life on Sundays was prohibited; but the public-houses were thrown open to the people, where they might purchase intoxicating liquors. He could not understand that system of legislation. In his constituency the Bill had the support not merely of a large portion of the people but of the publicans. He should certainly vote for the Motion for leave.

Mr. PACKE said, he would not persevere in dividing the House on the question of leave.

Question put, "That leave be given to bring in a Bill for closing Public-houses on Sunday,"

And there being several voices in the negative,

The House *divided*:—Ayes 141; Noes 52: Majority 89.

Bill *ordered* to be brought in by Mr. Somes and Mr. Pease.

GAME LAWS.

SELECT COMMITTEE MOVED FOR.

Mr. W. E. FORSTER rose to move for a Select Committee to inquire into the operation of the laws relating to Game. The hon. Member said, that until he saw the Amendment of the hon. Member for Whitby (Mr. Thompson) on the paper, he was in hope that there would have been no objection to this proposal. The grounds for that hope were the feeling which he knew pervaded the country, and the apparent desire of the House last Session to have the matter fully investigated. He understood that last year hon. Members on both sides, not only of the House, but of the Game Law question, were in favour of an inquiry; and his right hon. Friend the Home Secretary, in reply to a question on the subject put by the hon. Member for Thirsk (Sir W. Gallwey), admitted that inquiry was necessary prior to any alteration of the law, and said, that if a Motion were made for inquiry in the course of the next Session, he should not oppose it. Soon after that a Bill came down from the House of Lords, and was passed. It was possible, therefore, that some Gentlemen who thought it desirable to have an inquiry before the Poaching Act was passed might think it unnecessary when that measure had been carried. He believed, however, it would have been more satisfactory to all concerned had the case for that Act been more fully and deliberately examined. Had they had an inquiry before the Bill—which came down from the other House a Night Poaching Bill and went back a General Poaching Bill—was brought in, it might have saved much discussion and several of the divisions that took place upon it. The hon. Member for Whitby, however, had now given notice of an Amendment on his Motion, and in that Amendment the hon. Gentleman said, that the Motion ought to be postponed until the House had longer experience of the working of the recent Act. In his opinion, however, the present position of that Act justified the demand for an inquiry. The Act in the hands of the lawyers who had to administer it had been found a most difficult measure. Difficulties had arisen in regard to its interpretation; there had been delay in giving judgment, and there had been contrary decisions. At last Chief Justice Erle had given an opinion on the question, which, of course, coming from such a quarter, had great weight. It must be remembered, that when the Bill came down from the House of Lords, it threw the *onus probandi* on the defendant; but a majority of the House removed that obligation. The decision of Chief Justice Erle restored the Act to the shape in which it came down from the other House, putting practically the *onus probandi* upon the defendant, and making the possession of game, under suspicious circumstances, evidence upon which a conviction might be obtained. He did not say that that was contrary to the opinions of a majority of the House, but he did say that it was contrary to what was supposed to be the Bill at the time it was passed, and therefore that there was reason for inquiring whether the fact was as he stated; and, if so, whether the law was what the House wished it to be. There was yet another and a stronger reason for inquiry—namely, whether it was desirable that new powers should be given to the police for the protection of one particular kind of property. He doubted, indeed, whether the Act did not give the rural police powers which they had never possessed before with regard to any kind of property; but there could be no doubt about it, so far as game was concerned. It had been said that the Act had been successful, and that it had tended to prevent the crime of poaching. If that was so, did it not remove from the preserver some portion of the necessity he was formerly under of watching for himself? If the new law was successful, he could not imagine that gentlemen would be so fond of paying money to keepers and watchers that they would do so to the extent they thought necessary before the Bill came into operation. And the question arose, at whose expense were these additional precautions against poaching to be taken? That was an inquiry which he could assure the House the ratepayers—in other words, the tenant farmers—had been asking in many places since last Session. That point ought to be deliberately considered by a Select Committee. Again, in the passing of this Act, Parliament embarked upon a new course of legislation; and the House ought to consider how far they wished to pursue it. The Bill as it came down from the House of Lords defined poaching to be "having game unlawfully in possession;" as it went back to their Lordships, it was altered to "game unlawfully obtained." The difference was not very clear; but the difficulty which was felt in the matter showed that they were clothing game with a character different from everything else. The hon. Member for Berks (Mr. Walter) strongly insisted on the necessity of declaring game to be property. The Bill, however, passed the House without that having been done. Whether that course ought to have been taken or not, there could be no doubt that the passing of an Act, under circumstances which rendered it necessary to alter the definition of the offence, made a fresh inquiry indispensable; and the time had now arrived when they should finally determine whether or not game should be regarded as private property. These were the grounds on which he (Mr. W. E. Forster) would reply to the suggestions of his hon. Friend the Member for Whitby, that they should wait for some time, in order to see how the new Bill worked. He now came to the general reasons why he pressed for an inquiry into the Game Laws. Sixteen years ago a Select Committee sat upon this subject. Their investigations lasted two Sessions, and they published two large blue-books, which he had lately been studying, and which he found to be at once informing, and in some respects amusing. It was not likely that any new Committee which the House could now appoint would exceed the industry or ability which the former one had shown; but there were many circumstances that rendered the prospects of another inquiry more hopeful than they were sixteen years ago. At that time the country had just concluded the severe contest on the Corn Laws, and there was a good deal of opposition between country and town, which he trusted had now disappeared. Of that opposition he could find many traces in the blue-book, and there was no doubt that it had greatly interfered with the action of the Committee. But the abolition of the Corn Laws had rendered it also desirable to discuss what was called the economical question of the Game Laws —namely, how far the farmer, who was now exposed to the competition of the whole world, was weighed down by the quantity of game which was kept upon his land. There was also another reason why an inquiry would be more hopeful at the present juncture. There had been, for the last ten or twenty years, a growing wish on the part of all classes to consider the condition of the labouring poor. He (Mr. Forster) was not going to prejudge the question whether it was for the interest of the poor that the Game Laws should or should not be altered ; but still it was the opinion of many that such should be the case, and he thought that the point was at least worth discussion. It appeared, too, that the operation of the existing laws had not diminished, but, if anything, had rather increased the offence of poaching. He had carefully gone over the statistics, but owing to the constantly-varying manner in which the Returns were made out from year to year he had found it impossible to make any exact comparison. He found, however, that in the three years 1858-60, there had been an average number of 8,590 cases per annum of persons brought before the magistrates charged with offences against the Game Laws. He believed that that was an increase, but he was bound to add that there did not appear to be any increase in the more serious crimes resulting from poaching. He did not think, either, that there was any increase in the number of persons imprisoned—a fact for which he accounted in two ways :—First, he was inclined to attribute it to a growing desire on the part of the justices to administer the law in a more lenient manner ; and secondly—which was not so satisfactory a reason—he believed the greater demand for game had so increased that the illicit dealers had been able to supply the poachers with money with which to pay the fines. In considering what the House should do to put a stop to poaching, the first thing they had to consider was, what were the special temptations to the offence of poaching. He thought they might be comprised under three heads. First, the love of sport. He was told that that was less prevalent now than formerly among the lower classes, and that the old sporting poacher had gone out of date. But he did not know why that should be so. The love of sport had not diminished amongst the gentlemen of England, and he did not see why it should have done so amongst the peasantry. The second temptation was the hope of gain, strengthened by the greater facilities which now existed for getting game to market. But he believed the great cause why poaching continued, and must continue, notwithstanding any laws they might pass, was the existence of over-preserving in places bordering upon densely-populated districts. The amount of poaching was determined more by the quantity of game preserved in any given neighbourhood, and by the density of the population near, than by any other circumstance. The way, therefore, to get rid of this particular offence was to get rid of excessive preserving. He was no sportsman himself. From accidental circumstances he had not begun to shoot when he was young, and it was not likely that he should now take it up, except at a target. But he could fully understand and sympathize with a love of sport ; and he did not believe that it would be kindness to any class in the country—to the farmer or to the labourer—wholly to exterminate game. He believed that a moderate amount of it did no harm, but was rather an advantage, because it offered an inducement—though he thought that inducement had been somewhat exaggerated—to gentlemen to reside upon their property in the country, and thereby increase the prosperity of those around them. He believed that it was a great advantage to train the country gentlemen to reside on their estates, and to become good working justices ; but they must take care that they did not at the same time train the peasantry to be criminals. Last year there was some discussion whether a poacher was a thief. In some cases he was, and in others he was not ; but he believed that though the poacher did not usually begin as a thief, he often ended by becoming one. Of course, a gentleman had a right to over-preserve if he liked. It was to be lamented that he should do so, but still he could not be legally prevented. But while it would be a cruelty to the labouring man so to alter the law as to induce him to break it by poaching, on the other hand they ought as legislators to do all in their power to diminish the temptation to which he was exposed, by discouraging excessive preserving. Now, a most important question was, were they proceeding upon right principles in their efforts to prevent poaching? That there was something very peculiar in the position of game was obvious, or the chief-constables would not have memorialized the House last year against the employment of the police, directly or indirectly, in its preservation. But it was most essential, if they wished to repress poaching, that the law should be clear, which was at present by no means the case. Besides, the law had not the support of public opinion. There was no country in the world in which the law, especially as it regarded property, was so generally respected, and yet by no class of its people was poaching looked upon as standing in the same category with other crimes. He supposed it would be admitted that to take an egg would be held to be as much poaching as anything else; and yet the hon. Member for Denbigh (Mr. Mainwaring) last year complained that his keepers were principally employed in preventing persons from searching for eggs for the neighbouring gentry. The country gentlemen, therefore, could not look upon poaching as theft, or they would not countenance such a practice as that referred to by the hon. Member. Whatever might be the case with regard to its words, the law was anything but clear as to its principle. It was yet undecided what was the legal nature of this crime, whether it was in the nature of larceny or not. An illustration of this uncertainty was supplied by a case tried not two years ago before Mr. Justice Willes, in which some rabbits had been taken by poachers on an estate of the Marquess of Exeter. The rabbits were seized at the Stamford Station, and the dealer commenced an action against the persons who had taken them from him. The case was tried at the next assizes. Mr. Justice Willes said, that if a person went upon land belonging to the Marquess of Exeter and killed rabbits, and then carried them away and sold them to a fishmonger, the servants of the Marquess had no right to go to the fishmonger's shop and take them away from it; that the property was in the fishmonger, although the taking of the rabbits on the land was an act of trespass. The learned Judge also declared that he could not understand how such a law should exist; because, if a man had land, and chose to keep pheasants upon it, he never could see why the law of larceny should not apply to such a case; for, according to all principle, the pheasants should belong to the man who created the property, just as much as though they were domestic fowls. ["Hear, hear!"] The Gentleman who cheered would, no doubt, vote for his Motion; for if they agreed with the learned Judge that the law should be altered, that was surely a good reason for inquiry into the matter. [Mr. NEWDEGATE: What is the date of that decision?] It was at the summer assizes of 1861. The verdict was against the Marquess of Exeter. Surely, when a Judge stated that the law ought to be altered, that was a good reason for inquiry. There was, however, an appeal from the verdict then given, on the ground of misdirection of the jury by the Judge, and the rule was argued about the beginning of 1862 by four Judges of the Common Pleas. All the four Judges in the mean time had had their attention called to a case which had been decided some considerable time ago, and all four gave a contrary opinion to that previously given by Mr. Justice Willes, that learned Judge himself being one of them; and a new trial was granted. The case came on in the Exchequer Chamber, and was determined only a month or two ago. It was argued before Lord Chief Baron Pollock, Mr. Justice Blackburn, Mr. Baron Martin, and Mr. Baron Wilde. The decision as reported was headed to this effect:—"Rabbits—property in animals *feræ naturæ*—rabbits started and killed on the property of another the property of the person on whose land they are found." Mr. Baron Wilde, while concurring in the ruling of his brother Judges, after referring to the former state of things, said that at present there was a vast quantity of game in this country which never stirred from the enclosed property of the landowner; but it was too late now for the courts of law to meet this change of circumstances by declaring a right of property in game, and that any legislation establishing an absolute or qualified right in the owner of land to property in the game on his estate would be consonant to justice and to the policy of the common law. Now, although the proposition was stated at the heading of the report of these decisions, that rabbits, wherever started, are the property of the person on whose lands they are killed, yet he (Mr. Forster) could not ascertain that the law was so settled; and, indeed, he had received precisely opposite opinions on the question from eminent lawyers. Surely such statements as these, coming from the judicial bench, showed the necessity of having this question inquired into, and inquired into without delay. With regard to the question of property, if the House thought fit to grant a Committee of Inquiry, he could only say he should go into it with a mind unbiassed as to how they should solve the question of property in game. He should certainly go into the inquiry with this feeling—that they ought to rest the law as far as possible on property alone. They ought to find how far there could be property in game, and on that rest their measures for its protection. It was to be observed that when Justice Willes said he could not understand why a pheasant should not be the property of the man who preserved land for its support, that was on the supposition that he could identify his property. But he (Mr. W. E. Forster) thought it would be very difficult to decide about *meum* and *tuum* in the case of animals which on one side of a hedge belonged to one man, and on another side belonged to another, and when in the public road belonged to neither one nor the other. He thought the Committee should go into that question with a feeling that it was rather a scandal that it had not yet been decided. He should be prepared to act on this principle:—Let them give a man this right in property, as far as possible, without infringing the principles upon which property was founded ; but let not the owner expect anything else ; let him not expect to have protection beyond that which his right of property gave him. The Committee, he thought, should settle not only this question, but should remove every relic of the old forest and feudal law which still remained. They should inquire whether the gamekeeper was at present an official ; if so, he ought not to remain so. A private policeman was contrary to the temper of the times. Then, if game were property, it must be settled whether it was not the property of the occupier of the land ; whether it was not his own like the crops and the cattle on the ground, and whether, being his own, he had not the right to kill it when and how he pleased. He thought he had pointed out two or three topics which were quite sufficient for the consideration of the Committee. Then, again, there was the question whether the law could do anything towards discouraging the present excessive system of preservation. He thought, that if the Chancellor of the Exchequer could not give up his game duties, it was quite possible that those duties might be so arranged as to fall upon the preserving, rather than upon the killing of game. Then, again, it was to be considered whether the passing of the Act of last Session, combined with the Parochial Assessments Act, did not bring forward the subject of the rating game in a way which the House ought to consider. In the country there was a great deal of feeling about this rating question. They asked why land which went to the support of game should escape its due share of rating. Why, it was asked, should not woods be rated ? Then, also, came the inquiry whether, when a right of shooting was let for a considerable sum, that also should not be assessed to the poor rate—whether it should not be rated in the same way as a farm ? Again, according to the Parochial Assessment Act, the new valuations were often made on actual rent rather than on the intrinsic value of the land, and so it sometimes happened that A with 1,000 acres of land on which game was preserved paid on a rating of 15*s.* an acre only, while B with 1,000 acres on which game was not preserved paid on 20*s.* an acre. Yet A's land might be more productive than B's. Thus B paid a disproportionate amount of rating. The game, in fact, consumed the fruits of the land, and increased the demands on the rate, and yet was the only produce of the land which escaped being rated. Then he came to the way in which the game laws were administered. He did not wish to speak disrespectfully of the county magistrates —a body of men whose services to the country were inestimable, by whom justice was administered more equally than it would be by perhaps any other class, and of whom he had himself the honour to be one ; but still even magistrates were men, they were not angels—and no doubt it was rather a difficult thing for a man who was himself a lover of sport, and who went to expense in the preservation of game, not to feel some degree of *animus* against a poacher. He was aware that a magistrate did not decide in his own case, but it was impossible that he should not be actuated by the feeling of his class. At any rate the idea that such an *animus* existed, was prevalent amongst the class from which the criminals came. Why should not a poacher be tried before a jury at quarter sessions ? The reply would probably be that it would be an unkindness to the defendant to force him to find bail; but the choice might be given to him as by recent statute, in cases of petty larceny, to be tried by the magistrates if he preferred it, without a jury. Thus, at least, the impression of an unjust feeling would be removed. The last point to which he should advert was this:—They ought to look into the question whether the penalties against the Game Laws at the present moment were not higher than for other offences against property of equal value, and especially whether the revenue regulations were not used so as to increase these penalties. He was obliged to the House for the attention they had given him, although his opinions might be somewhat at variance with those of the majority. He hoped he had given reasons to induce them to grant this inquiry. He asked for that inquiry in order that such legislation might be attempted as would increase the comfort and improve the morals of the labouring population, get rid of the last remaining vestige of the old forest law, and promote concord between landlords, farmers, and labourers. Believing that it was the earnest desire of the House at all times to perpetuate this feeling, he begged to move for a Select Committee to inquire into the operation of the Game Laws, and to report whether in their opinion any, and, if any, what alterations are required therein.

VISCOUNT ENFIELD, in seconding the Motion, said, that as he had supported the second reading of the Bill of last Session, but had not voted for the third reading, he might, perhaps, be allowed to recall the circumstances under which that measure was introduced. The Bill was read a second time on the 14th of July, and so strong was the opposition to it that thirty divisions took place before the measure became law. The promoters alleged that the crime of poaching had increased, that every winter murderous assaults occurred between gamekeepers and poachers; and they produced considerable effect upon the House by citing the opinion of the chief constables of different counties in the midland and northern districts, who stated that the crime of poaching had now assumed a somewhat new shape, and that whereas formerly it was the isolated act of individuals who were either actuated by a love of sport or were driven into it by distress, it was now the result of organized bands, who went out at night, and after sweeping the preserves, returned home with their spoil along the highway and despatched it from the next railway station; openly defying the constables who thus saw them go to the covers and saw them return with the result of their nocturnal depredations. Admitting these facts, it was argued on the other side that in a matter so important, involving so many difficult and delicate relations—those of landlord and tenant among the rest—it was impossible at so late a period of the year that justice could be done. They therefore asked for a postponement of legislation. Those who, like himself, had supported the second reading felt the difficulty; and when he saw the shape which the Bill assumed in Committee—its very title being changed—he felt that he could not vote for the third reading, and was anxious that a Committee should inquire into the subject. The parties affected by this question were the lovers of sport, the ratepayers, the farmers, the police, and, lastly, the general public; and it was in the interest of all those classes that he now supported the Motion. Neither this House nor the country wished, he believed, that this legitimate English pastime should be destroyed, but rather that such safeguards should be placed round it as would allay jealousy and ill-feeling. With regard to the ratepayers, they were of opinion that the police rates should not be devoted to keep up a body of men who might possibly be employed as amateur watchmen and gamekeepers. The farmers had a fair right to be considered in the question, and he was sure that the public, who complained of the inquisitorial provisions of the Bill, had a right to inquiry. If the inquiry were conceded, it would no doubt be conducted in the fair and impartial spirit which had characterized the speech of the hon. Member, and he earnestly hoped that the Committee asked for would be appointed.

Motion made, and Question proposed,

"That a Select Committee be appointed, to inquire into the operation of the Laws relating to Game, and to report whether in their opinion any, and if any what, alterations are required therein."

MR. THOMPSON said, that if his hon. Friend (Mr. W. E. Forster) had brought forward this Motion last Session, before the passing of the Act for the Prevention of Poaching, he should have heartily supported it; but to legislate first, and appoint a Committee of inquiry afterwards, was a proceeding so extraordinary that it was only to be justified by showing that the Act had produced mischievous results of such a character as called for immediate remedy. He had been neither surprised nor disappointed to find that his hon. Friend had brought forward no proofs of such mischief; and as his hon. Friend was far too acute a man not to see how much his case would have been strengthened if he could have adduced any proofs of the failure of the Act, it was safe to assume that none could be procured. On the other hand, very striking benefits had resulted from the passing of the Act, and of these he would give the House some idea by reading extracts from letters and returns furnished to him from his immediate neighbourhood by those who were best qualified to judge—the head constables and chiefs of the rural police. From York the chief constable wrote—

"Four regular poachers have abandoned poaching altogether, and the remaining known poachers pursue that calling less frequently. A B has given up poaching since the new Act came into operation, and is now earning his living by working as a labourer; C D is now working as a labourer; E F is earning his living as a smith; and G H as a joiner."

From Knaresborough, which, though a very small town, had always been famous for its breed of poachers, the superintendent of police wrote—

"The Prevention of Poaching Act has materially lessened the depredations of poachers in this division. We have had five convictions under it, all police cases. Several notorious and professional poachers have abandoned their evil courses and taken to earning an honest living; others, seeing my determination to enforce the provisions of the Act, have left the neighbourhood."

The inspector of police at Hull said—

"The Game Act of last Session has had considerable influence over the poachers in Hull. The greater part of the poachers who resorted to Hull came out of the country, particularly out of Lincolnshire, and only remained here a short time; these men are seldom seen now. Three men who reside in Hull, and were regular poachers, are now following other occupations—namely, A B, now working as an excavator at the enlarging of the Victoria Dock; C D, now employed at Messrs. ———; and E F, working as a labourer on the dock-side."

The head of the rural police in the North Riding said—

"My impression is that the Act, if properly and judiciously carried out by the police in accordance with the recent decision of the Court of Common Pleas, will answer its purpose, and materially prevent, if not entirely suppress, night poaching. I have received no complaint of any single constable having improperly exercised his powers under the Act. I think this important. It is most undesirable to make the police in any way game watchers, but they can carry out this Act in furtherance of their other duties, while watching roads and other places where thieves are expected to return home with their spoil."

The next report was from the Skyrack division of the West Riding, furnished by the superintendent stationed at Leeds, who said—

"In this division there has been a decrease of persons apprehended and summoned since the passing of the Act. There are several men known to me who, previous to the passing of the Poaching Prevention Act, lived by poaching only, but are now partly working for a living. I do not think there has been sufficient time to test the operation of the Act, as the police had not sufficient power to interfere before the decision of Chief Justice Erle."

The last was from the head of the rural police in the West Riding, who wrote—

"In those districts where poaching was most extensively practised the Act has worked well. Before Chief Justice Erle's decision there was so much uncertainty in the law that convictions were given with hesitation. Since that decision that hesitation has been removed, and the course is clear. The decision, however, was only given a short time since, but we all feel that the Act is likely to work well if it has time given it to be tested. In the Doncaster and Knaresborough country, where poaching was much carried on, many men have given it up altogether, stating that the risk is now too great. The chief constables of Lincolnshire and Derbyshire, from whom I have heard on the subject, concur with me in the opinion that the Act will work as well as any Act can that is not very stringent and unpopular."

That testimony was remarkably consistent and went far to show that the Act was working well—quite as well as its friends could have anticipated. But the Poaching Prevention Act bore date August 1862, only seven months ago, and a well-known decision in the Court of Common Pleas, which had added much to its efficiency, had been given on the 24th of January—not quite two months since; so that the law might be said to have been in full force only two months. If the Committee, which his hon. Friend moved for, were granted, its Members would be in this difficulty—that they must either take the results of this short trial as recognised facts to influence their Report, and perhaps to form the basis of future legislation; or, if they considered the time too short, and the results too recent to be trustworthy, they must throw over the latest legislation on the subject into which they were appointed to inquire, although aware that its working was most satisfactory. His hon. Friend had laid great stress upon the importance of the question whether game was to be made property or not. It was doubtless one of those important and difficult questions which must prominently occupy the attention of any Committee on the Game Laws, and the Act passed last Session had a very material bearing upon it, because for the first time it had placed game, at least partially, under the protection of the recognised guardians of the property of the public. The late Act, therefore, was, as it were, a great experiment to show whether the step which had been taken towards making game property went far enough, or ought to be carried further. The law respecting game was certainly, as his hon. Friend had remarked, in a very anomalous and doubtful state, as was well known to all county justices. The law recognised the possession of game, licensed the killing of game, and sanctioned its sale and purchase, but stopped short of making it property, and thus created a privileged class of plunderers, who, until the passing of the Act of last Session, could flaunt their ill-gotten booty in the very faces of the police with perfect impunity. It was not necessary for him to detain the House by pointing out the numerous evil consequences resulting from training up the police to ignore a particular class of transgressors, who, if that branch of their profession was overstocked, could turn their attention elsewhere. He trusted he had shown that the Act of last Session was working well, that a great experiment was being tried on a confessedly difficult subject for legislation, and that it would be premature to appoint a Committee of Inquiry. He wished to state distinctly that the Amendment, which he was about to propose, was not brought forward in order to defeat or elude inquiry, but to postpone it until a sufficient trial of the late Act had been made. He begged leave to move as an Amendment,

> "That, in the opinion of this House, it is desirable that the appointment of a Select Committee to inquire into the operation of the Game Laws, should be postponed until further experience shall have been obtained of the working of 'The Prevention of Poaching Act, 1862.'"

Mr. PAULL rose to second the amendment. He had given notice on the first day of this Session of his intention to move for leave to introduce a Bill to amend the Game Laws, and his reason was because he believed at the time that the result of the thirty divisions upon the Bill at the close of last Session was to render it nugatory. Had the Motion for inquiry been made last year, he should have had no hesitation in supporting it; but when, from the information which they had all recently received, it was found that the Act was working well, he thought it undesirable that the question should be re-opened before ample opportunity had been given of seeing whether the Bill was successful in its operation.

Amendment proposed.

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that the appointment of a Select Committee to inquire into the operation of the Game Laws, should be postponed until further experience shall have been obtained of the working of 'The Prevention of Poaching Act, 1862,'"

—instead thereof.

Sir GEORGE GREY: My hon. Friend the Member for Bradford (Mr. W. E. Forster), in making his Motion, stated truly that during the discussions on the Game Bill, which came down from the House of Lords for our consideration at the end of last Session, I was asked whether I would assent to the appointment of a Committee to inquire into the operation of the Game Laws. I thought that at that period of the Session an inquiry could not be satisfactorily conducted; but I said that I should be willing to assent to the appointment of such a Committee in the ensuing Session in the event of any hon. Member bringing forward a Motion to that effect. In redemption of that pledge, I feel bound to support the Motion of my hon. Friend who has now moved the appointment of a Committee. When I look into the state of this question, and to what has taken place in both Houses of Parliament, I think that such an inquiry is not only not unreasonable, but that it is called for. In 1828, a Committee of the House of Lords was appointed to inquire into the operation of the Game Laws. That Committee went fully into the subject and made several important recommendations which, after an interval of two or three years, were made the subject of a Bill which was proposed by the late Lord Althorpe and which became law. That Act —the 1 & 2 *Will.* IV. c. 32, contains the substance of the law with regard to game, and with the addition of the Night Poaching Act, 9 *Geo.* IV., and the Act of last Session, constitutes the law on the subject, with the exception of those fiscal laws to which it is not necessary to advert, and which require the payment of a certain sum for certificates to kill, and for a licence to sell game. The results of the labours of the Committee of 1828 were, I think, most beneficial. They recommended several important modifications of the Game Laws as they had previously existed. First, they recommended that a property in game should be recognised by allowing it to be sold through licensed game-dealers. They also did away with the qualification previously required to kill game, and authorized any person, who had taken out a certificate, to kill game, subject only to the ordinary laws of trespass. The Night Poaching Act contained severe provisions —and very properly severe provisions—against persons going armed at night in pursuit of game. That Act has long been in operation, and many convictions, I am sorry to say, take place under it every year. Let us look at the facts of the case in connection with a most important point —its connection with crime. There is a fact which we cannot overlook, and which we ought to inquire into. The fact is, that a large proportion of the crime of the country is connected with the infringement of the Game Laws. Not only is a large proportion of the crime of the country connected with offences against the Game Law, but there has been a great and continuous increase in the amount of crime of this description. It is only since 1857 that we have had accurate statistics of crime laid before Parliament. I find that in that year there were of summary charges brought before magistrates for the infringement of the Game Laws 3,567, and of cases of night poaching and destroying game summarily dealt with, 1,883—making altogether, 5,534 summary charges for offences against the Game Laws. I find that in the year 1861—the last year for which we have complete Returns—that 8,563 cases were brought before magistrates for summary adjudication—that out of these there were no less than 7,007 convictions. Coming to 1862, the Returns for which are not before us, but which are in course of being prepared, the number of cases brought before magistrates for summary adjudication was 10,135. I am not able to state what number resulted in convictions; but here was an increase of from 5,534 in 1857 to 10,135 in 1862, cases brought summarily before magistrates for infringement of the Game Laws. This excludes altogether the most serious class of cases under the Night Poaching Act; under which persons are committed for trial at the assizes for various offences, for going about at night armed in pursuit of game, and for acts of violence connected with poaching. I think that is a state of matters which demands the serious consideration of the House. In 1841 a Committee of this House was moved for to inquire into the Game Laws. That Committee was granted, and one of the main reasons why the Government assented to that Committee was the connection which appeared to exist between crime and the Game Laws. I must say that that reason is stronger now than it was then. I am bound to say also that I think that this increase of crime is in some degree owing to the great increase of game and to the excessive preservation of it, though I entirely agree with those who are in favour of a reasonable preservation of game with a view to that legitimate sport which it is desirable to encourage, and which no man, I think, wishes to destroy. The hon. Gentleman who seconded the Amendment (Mr. Paull) took the earliest opportunity this Session of giving notice that he would introduce a Bill to make game property. That is an idea which has been gaining ground of late. There is a good deal to be said in favour of it; but considering the state of the law, the decisions of courts of law, and the many questions which must be weighed before any Act can be passed making game property, I think that a careful inquiry ought to be made into the subject. I understood that the hon. Gentleman, as soon as notice of this Motion for the appointment of a Committee was given, withdrew his notice of the Bill. The law, as it at present stands, is certainly in a most anomalous state. It is understood to rest on a dictum of Lord Coke, that where game started on one property is killed upon it, it belongs to the owner of that property; but that if it passes over the boundary of that property and goes into another property, and is there killed, it belongs to the person by whom it is killed. I think there are ample grounds for inquiring into the state of the law before we assent to the proposal made by the hon. Gentleman that game should be made property. The only reason urged against the proposed inquiry is that the Act passed last Session, which it is said will be a cure for all the evils complained of, has been only a short time in operation. I cannot think that is a sufficient reason for negativing the Motion of my hon. Friend. If it was desirable last Session that an inquiry should take place into the existing Game Laws. I think it is more desirable now. It is important that we should have one general view of what the operation of the Act of last Session has been throughout the country. The facts stated by the hon. Member who moved the Amendment will be laid before the Committee, and they will form a part of this general view of the operation of that Act. I have the satisfaction of knowing that the opposition I gave to that Bill, in conjunction with many others, led to essential modifications of it; that that opposition removed most objectionable provisions in it, and especially that arbitrary and unconstitutional power by which an individual policeman could confine a person for an indefinite time and upon mere suspicion. I believe that the Act as it passed this House was calculated in many cases to be a useful Act; but I believe, at the same time, that it has not succeeded in accomplishing the great object of its promoters—namely, the breaking-up of the gangs of poachers which, especially in Cheshire and in other parts of the north, go out armed at night and carry on poaching upon a scale which makes it impossible for the police to interfere with them except at great risk of life. The amount of crime arising from the Game Laws is most unequally distributed. We find there are counties, such as Cheshire, in which the crime abounds; while there are counties, such as Warwickshire, not differing essentially in the character of its population, in which during the time over which the Return moved for last Session extends there has been only one case of serious assault arising from poaching. I think the House ought to consider what are the causes of this crime being so frequent in some counties while in other counties the crime scarcely exists. I willingly assent to the appointment of a Committee to inquire into the Game Laws in redemption of the pledge that I gave last Session. Before I sit down, I wish to say that I think the decision of one of the courts of law upon the construction of the Act of last Session has been misapprehended by some hon. Gentlemen who have taken part in this discussion. The case referred to came, I believe, before the Court of Common Pleas, and it was this:—Some poachers had been apprehended on a high road, fresh blood and feathers were on their nets, and it was evident that they had just come off some land in pursuit of game. The decision of the court was not, as I understood it, that the *onus probandi* in every case was to be thrown upon a person in the possession of game on a highway, but that it was for the magistrates to determine whether the circumstances given in evidence were such as to lead them to believe that the terms of the Act applied to the persons brought before them. It is a misapprehension, therefore, to suppose that the police are about to assume some new power in consequence of the decision of the Court. Last Session I promised that I would support a Motion for a Committee of Inquiry, and in fulfilment of that pledge I shall vote for the Motion of the hon. Member.

MR. NEWDEGATE said, as the House had been informed by the right hon. Baronet that Warwickshire was free from the crime of poaching, they might be surprised at his having taken an active part in procuring an alteration of the Game Law last Session. He did so because information came to him from Warwickshire that gangs were being formed in Birmingham and other large towns, and he was anxious to check their formation. He thought it would not become the dignity of the House to enter upon an inquiry before the Act of last Session had had a fair trial. He would warn hon. Gentlemen that there had been an under-current agitation, and that many were the delusions which had been propagated among the farming classes on the subject. The supporters of the Act of last Session had been untruly represented to be exclusively in favour of large preservers. That no doubt was the character of the Bill when it came down from the House of Lords, but it underwent an alteration. He hoped that in vindication of the law of last Session the House would refuse an inquiry.

LORD ALFRED CHURCHILL suggested, that as there was a licence to kill game, and a licence to sell game, there should also be a licence to preserve game. [*The noble Lord spoke amid loud and continuous cries for a Division.*]

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 157; Noes 176: Majority 19.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved,

That, in the opinion of this House, it is desirable that the appointment of a Select Committee to inquire into the operation of the Game Laws, should be postponed until further experience shall have been obtained of the working of "The Prevention of Poaching Act, 1862."

COLLEGE OF ARMS—CHANGE OF NAMES—GRANTS OF ARMS.

RETURNS MOVED FOR.

Mr. ROEBUCK, who had given notice to move an—

"Address for Returns of the names and titles of the various Officers of the College of Arms in England, Scotland, and Ireland:

"Of the duties which are performed by such Officers separately and together:

"Of the names of persons who have applied for grants of Arms or privilege to make changes in their existing Arms since 1850; stating the cases in which such applications have been granted or refused, together with the reasons assigned for such refusal:

"Of the fees which have been demanded upon making the grants and conferring the powers applied for:

"And, of all the emoluments of the said Officers, specifying the sources from which they emanate:"

Also, for an—

"Address for Returns of the names of all persons who have applied for Licences to change their names since 1810:

"Of the instances in which such Licences have been granted during that period, together with a Statement of the names of the successful applicants, and of the names which they have been permitted to assume by Royal Licence:

"Of the names of the persons so applying who have been refused during the same period, with the reasons assigned in each case for the refusal:

"Of the principles by which the Home Office is guided in granting and refusing such Licences:

"And, of the amount of Fees demanded for such Licences since 1810, and the manner in which the monies received have been applied."

said, the reason which had induced him to make this Motion was as much as possible to put an end to official tyranny. He wanted persons in office to know that they had nothing to do with the law but obey it. They did not make the law; and when the law was clear, it was their bounden duty to place no obstacles in the way of carrying it out in any way, out of spite, malevolence, and vulgar malice. Now, the first thing he would do was to state clearly what was the law upon the subject, and he would then ask the House to agree with him that it was a matter of importance that the law should be fairly carried out, and not be abused for the gratification of individual spite. He had hoped that the Attorney General would have been present that evening, because he wanted to make the statement in his hearing, and see whether the hon. and learned Gentleman would gainsay it. He asserted broadly this to be the law—that any man had a right to take any name he pleased, upon any occasion he pleased, and for any reason he pleased, excepting fraud. For that purpose he required no licence whatever; no Act of Parliament was needed. The Queen could give him licence to walk the streets, but he had power without the licence. So any man might take any name he pleased, and the Queen's licence gave him no power in addition to his own will. That was the law; and to make the matter clear, he would read a few sentences from a book of Mr. Falconer, who was now a Judge in Wales, which really contained all the law upon the subject—

"That in the year 1735, when the question of the manner in which surnames could be changed was before the House of Lords, no notice was taken of any supposed privilege of the Crown to grant licences on such occasions. 2. That any person may take any surname, and that the law recognises the new name when assumed publicly and *bonâ fide*. (Chief Justice Tindall, Lord Stowell, &c.) 3. That a man may assume what surname and as many surnames as he pleases. (Sir Joseph Jekyll, M.R.) 4. That where both Christian and surname have been changed, the law will recognise the assumed names. (Lord Ellenborough and the Court of King's Bench.) 5. That no Act of Parliament or Royal Licence is needed in order to sanction a change of name, unless a new name is directed by a donor of land or money, to be assumed by the donee, with such or some other particular sanction, and subject to the forfeiture of the donation if the name should not be assumed in the manner directed by the terms of such conditional donation. (Lord Chief Justice Tenterden and the Court of King's Bench.) 6. That when a name is assumed by Royal Licence, it is so assumed by the act of the person taking the name, and the name is not conferred by the licence. (Lord Chancellor Eldon.) 7. That the effect of a Royal Licence is merely to give publicity or notoriety to the change of name. (Chief Justice Tindal.) 8. That when, by any Act of Parliament, judges have the control of a particular roll of names, they will, on a change of name, when the change is publicly and *bonâ fide* made, direct the new name to be added to the roll, though such name has been assumed without a Royal Licence, and by the mere act of the person whose name is on the roll. (Court of Exchequer, &c.) 9. That when any person has legally assumed a name by his own act, it is compulsory on courts of law to recognise the legal act. ('The King *v.* the Inhabitants of Billinghurst,' and 'Luscombe *v.* Yates.')"

If that were the law, he wanted the House to determine that no official person whatever should interfere or interrupt the operation of the law; and his reason for bringing the notice before the House was because official power had been brought to bear against a person holding a commission as justice of the peace to obstruct him in carrying out the law. Some years since there was a gentleman who died in Wales named Jones. He had three sons; but this notice had only to do with two of them. The eldest became Mr. Jones of Llanarth, and the younger Mr. Jones of Clytha. Mr. Jones of Llanarth had a son, and then died. The son determined to marry. He was sorry to have to mention the name of a lady—but the son of Mr. Jones, of Llanarth, wanted to marry a daughter of Sir Benjamin Hall, and he thought he would take on himself the name of Herbert, to which he believed by succession he had a right. He got a Royal licence to make that change of name. He married the lady, and became Mr. Herbert, of Llanarth. The second son, Mr. Jones of Clytha, also had sons, but he was still living. One of the sons wished to become a Volunteer. The father, however, wished him not to become a Volunteer until he came of age; and then the father determined, as his nephew also had done, to take the name of Herbert, to which he had as much right as his nephew, because, being of the same family, if one had the right, so had the other. He determined to take the name of Herbert. Here it was necesary to bring in the name of Lord Llanover. Lord Llanover was Lord Lieutenant of that county; and when apprised of the fact that the uncle of his son-in-law had taken the name of Herbert, he told the young gentleman, the son of Mr. Jones of Clytha, that he could not permit him to take that name or to be a Volunteer under that name. And then Lord Llanover stood up very violently for what he called the Queen's prerogative—which was a curious operation to be performed by Lord Llanover, when they considered his antecedents. There was an old proverb which he thought applied to this process, but he would not mention it. However, Lord Llanover chose to take on himself this quarrel, and he determined not only to prevent the young gentleman from being a Volunteer, but there were very suspicious articles constantly printed in the Welsh papers, doing all they could to cast a slur on Mr. Jones of Clytha, because he had taken the name of Herbert without a Royal licence. The real facts were these. An application was made, he believed, personally to gentlemen connected with the Herald's Office. Mr. Jones of Clytha said, "I suppose there will be no difficulty in a change of name?" "Oh, yes, but there will," was the reply. "My nephew changed his name." "Yes, but that was through the interest of Lord Llanover;" and then Mr. Jones learned the law, that he could take the name without a licence, and he took the name of Herbert. First, he wished to impress on the House that it was the law that a man might take any name for any reason, so long as it was not a fraud; and as he was told that people had paid large sums of money for changes of name, he wanted further to tell people from his place in Parliament that they need not pay one farthing to any body for such a purpose. But it might be said, that is a very mischievous law. His answer was, that he could not help it. It was the law, and he wanted any one, in the face of the world and in the face of the legal profession, to say that it was not. Let any one deny it if they could, and let the Herald's Office lament its notoriety. Hereafter great good, instead of great harm, would follow from the greater knowledge of that fact. Names had been taken in large numbers. Numbers of people who had risen from a low stage of society had changed their names, and, historically speaking, it was only quite lately that surnames as surnames had been had at all. He had known a man indicted in Yorkshire as John O'Stile, because from living near a stile that surname was given to him. It might often occur that a man had some peculiarity, such as a squint, and might in consequence be called John-with-a-Squint. From that circumstance the children might receive the name of Squint. Some people's names were most offensive. Only let hon. Members imagine a nice young lady coming into a room and being announced as Miss Shufflebottom. It had been sarcastically said, that the names of Tudor, Plantagenet, Stuart, and other great names, were only assumed by fifth-rate actors and inferior Members of the House of Lords. That was a mistake, for very important Members of the House of Lords—men of great title—had taken, what he should call, very ridiculous names. The great and historic name of Seymour had, for some idle purpose or other, been changed into the sort of pantomime name of St. Maur. Another name, borne by a great man, had been changed, and for good reason. The Duke of Wellington's name was Wesley, but that noble Duke changed his name in India, without any Royal licence, into the better-looking and better-sounding name of Wellesley; and the change was sanctioned immediately by the Horse Guards, and the name of Arthur Wellesley appeared in the next *Army List.* Similar liberty to change a name had not been given by the War Office in a recent case. A gentleman named Jones became an officer, and wished to change his name. His father, whose name was Paul, assumed the name of St. Paul, and the son wanted to do the same; but the right hon. Gentleman the Secretary for War refused, it was said, to consent to the change of name. Now, that man had a right, if he chose, to change his name, and all that the right hon. Gentleman had to do was to obey the law, and cause the required alteration to be made in the *Army List.* What he had asked for was a Return of the names of all persons who had applied for licences to change their names since 1810, but the right hon. Gentleman had told him that the records had been so kept, that there were no records so far back as that. This being so, he would say since 1850, instead of 1810, but he wanted to know why he should not also have a Return of the names of all persons who had applied for licences to change their names since 1810. The right hon. Gentleman had told him that such a Return would give pain; but if persons desired to change their names, and it was afterwards required for public purposes to know what names had been changed, he could not help pain being given to accomplish that public purpose. The next Return which he wanted was as to the instances in which such licences had been granted since 1850, together with the names of the successful applicants; and further, a return of the names of persons who, having applied for permission, had received a refusal, with the reasons assigned. It was quite true that the Queen might refuse a licence if she pleased; but he wanted to know what was the rule that was acted upon; but though the Queen's name was used, of course it was not Her Majesty, but the right hon. Gentleman, or rather his officers, who acted in the matter. Then he wanted to know the principle by which the Home Office was guided in granting or refusing licences; and if the right hon. Gentleman claimed to have the power to refuse a licence, it was quite right that they should know upon what principle this was done. He also wanted to ascertain whether it was mere whim, or an idle desire on his part to retain power in his hands, which had led to the course which had been pursued; and, in addition, he wanted to know what amount of fees had been demanded for such licences, and the manner in which the money received had been applied. His only objects were to prevent the operation of spite and vulgar malice, and to have the law strictly applied without favour.

LORD ROBERT MONTAGU seconded the Motion.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of the names of all persons who have applied for Licences to change their names since 1850."

COLONEL CLIFFORD said, that the hon. and learned Gentleman who had made the Motion (Mr. Roebuck) had done an injustice to Lord Llanover, who for thirty years had occupied a seat in that House, and who was still known to a large majority of the Members, and, he was sure he should be borne out in saying, had so conducted himself on all occasions as to secure their esteem. The House would feel how unlikely it was that such a man would have conducted himself with unnecessary hostility towards any person, or have acted from "spite and vulgar malice"—to use the words of the hon. and learned Gentleman. He (Colonel Clifford) was aware of all the facts of the case referred to, and no one had regretted more than he did what had taken place, nor, he might add, had done more to bring it to a termination satisfactory to all parties. He felt bound to say that so far from Lord Llanover having refused the commission in question in consequence of the change of name, as had been asserted, he (Colonel Clifford) knew of his own personal knowledge that the commission had been offered and accepted before the change of name had taken place, and before it was even known that such a change was in contemplation. The Lord Lieutenant allowed the commission to stand over until Mr. Jones came of age, at his request; but his Lordship was not aware that the object of the delay was to effect a change in the name. On his becoming of age Mr. Herbert wrote, not to the Lord Lieutenant, but to the Clerk of the Peace in the county, requesting to be gazetted by the name of Herbert instead of Jones. That was the first notice which was given on the subject, although afterwards an advertisement announcing the change of name was published. The hon. and learned Gentleman might say that the Lord Lieutenant entertained an exaggerated conception of the Royal prerogative. He would not go into that question, but would say only that in his firm belief the Lord Lieutenant was actuated solely by his conviction as to his duty in regard to that prerogative, and not by any private spite or malice. The noble Lord was extremely desirous to give Mr. Herbert, of Clytha, a commission, and was willing to have put him on the commission of the peace. Surely these facts were inconsistent with his alleged hostility. He could state, also, that Mr. Herbert, of Llanarth, had expressed a strong desire that every member of his family, and especially his uncle, should bear the name of Herbert, as well as himself; and he never heard a syllable from Lord Llanover to a contrary effect. All his Lordship sought was that Mr. Herbert, of Clytha, in changing his name, should respect the usual forms of procedure. At a recent Volunteer dinner a wish was expressed that Mr. Reginald Herbert should accept a vacant commission in the corps; but in returning thanks for the toast of his health Mr. Reginal Herbert said it was impossible for him to accept the offer, as he was certain the Lord Lieutenant would not grant him the commission. Now, he could assure the House that at that very time Lord Llanover had no unwillingness to grant it, and has nominated Mr. R. Herbert to the vacant post unasked by him, because he knew it was the wish of the corps. This certainly was then unknown to Mr. Herbert. That showed there were no unworthy personal feelings on the part of the noble Lord in this matter, and that his conduct had been guided by what he believed to be his duty only.

Sir GEORGE GREY: I do not wish to enter into the personal question, which has been rather unnecessarily brought before the House by my hon. and learned Friend. I will only say that when the hon. and learned Gentleman charges me with having arbitrarily refused applications for leave to make a change of name, I do not know to what cases he refers. I will merely state the principle by which I have been guided in granting or refusing these licences. In the present instance Mr. Jones, of Llanarth, applied some years ago for the Royal licence to change his name to Herbert, on the ground of descent from an ancestor of that name. The representatives of several noble families of that name having been communicated with by the applicant for the licence, who stated that they concurred in the proposal, the Royal licence was granted, and Mr. Jones, thus authorized, assumed the name of Herbert. It is stated that Mr. Jones of Clytha is equally entitled to change his name; but there is this difference, that he never applied for the Royal licence. If he had made the application, and supported it on precisely the same grounds as Mr. Jones of Llanarth, and if I had refused it, then the hon. and learned Gentleman would have had some cause to complain of my arbitrary conduct; but, as I was never applied to, and consequently never refused, his charge falls to the ground. The hon. and learned Gentleman also referred to the case of a distinguished officer, Sir J. Jones, an officer who served with great distinction in India, who desired to change his name. I lately received an application from that gentleman, requesting me to direct the Commander-in-Chief to alter his name in the *Army List* from Jones to St. Paul; but it was clearly quite beyond my power to give any such direction. The hon. and learned Gentleman says, there is no doubt that any person may assume any name he chooses without Royal licence. Now, I am not going to dispute the legal position he maintains. I believe there is no legal right to a name—any person may take any name he pleases; but then it does not follow that everybody else must at once consent to recognise him by that name. It is by no means a matter of course, because a gentleman who has hitherto been known as Jones suddenly calls himself Herbert, or any other name that whim may dictate, that all the world must immediately acquiesce in the alteration. In short, this is rather a question of fact than of law. A man's name is that by which he is generally known. How he may have acquired it does not matter. It is his name, and he has a right to be called by it if it is the name which he usually receives among his friends and acquaintances. I am not aware of any case in which the civil and military authorities have refused to recognise a man by the name by which he is habitually known. As to the case of Sir John Jones, I certainly had no authority to interfere.

Mr. ROEBUCK: No, I did not refer to

the right hon. Gentleman, but to his Colleague the Secretary for War.

SIR GEORGE GREY: When an application is made to a Lord Lieutenant to sanction a change of name, it is only natural he should inquire what grounds there are for the change. There must be something like usage to support the claim, or the greatest confusion would be introduced into society. For instance, in the case of wills, the question of identity might be raised. There might be some doubt as to who was the person referred to by a testator, and it would become an important inquiry how he was usually designated. As to the Returns for which the hon. and learned Gentleman has moved, I think it would be wrong to give the names of all the persons who have applied for leave to change their names, and whose applications have been granted or refused. As to the principles by which the Home Office has been guided in dealing with these applications, I have to inform my hon. and learned Friend that there is no written document on the subject. About 200 years ago the practice of applying for the Royal licence to change names arose, and in 1783, in consequence of the frequency of those requests, it was deemed necessary to put some check on them. A regulation was therefore made, that all applications should be referred to the College of Arms. That reference is not, however, necessarily decisive, as it is intended only for the information of the Secretary of State. That usage has been universally adopted, subject to the modification introduced by the late Sir Robert Peel, that where there are no plausible grounds for an application, and it is obviously the mere result of whim or caprice, it should be at once declined, without any reference to the College of Arms, leaving it to the applicant to exercise the right, which the hon. and learned Gentleman said all possessed, of changing his name on his own responsibility. Among others, illegitimate sons have frequently applied for leave to adopt the name of their putative fathers with their consent, and often in consideration of a provision made for them. Is it desirable that all these cases should be dragged before the public? Pain, I know, as the hon. Gentleman says, must sometimes be inflicted on individuals where a great public object is to be attained, but what important end is to be gained by publishing these names? There are cases in which a bequest or legacy has been coupled with a condition that the legatee or devisee should assume a particular name, and in these cases the Royal licence is granted. There could be no objection to give these names, but I do not think it is worth while to make any exceptions. I have no objection to give Returns of the number of applications which have been made and of the number which have been acceded to, the difference between the numbers being of course those rejected. I am also ready to give every information as to the fees, which are paid over to the fee fund. I hope my hon. and learned Friend will not press for further details, but will be content to accept the Returns in this modified form.

MR. ROEBUCK said, the right hon. Gentleman had only reiterated what he stated some time ago when this question was first brought forward—namely, that it was all a matter of usage. He (Mr. Roebuck) was glad to see the Solicitor General present, because he hoped to get from him some explanation of the word usage. When did usage begin? He would mention a case how the Law Courts treated this question. Some time ago Dr. Pye Smith ("Pye" being a Christian name), an eminent divine, died, leaving two sons, one of whom was on the roll of attorneys. After his death it was represented to his sons that it would be a mark of respect to their father if they assumed the Christian name of Pye as their surname, and accordingly the gentleman who was on the roll of attorneys applied to the Courts, and they at once acknowleged his right to do so, and made the requisite alteration on the roll of attorneys. What, then, became of the right hon. Gentleman's statement that the right to be known by a change of name was matter of usage? He asserted, on the contrary, that the question was one of law and not of fact, and that every person in office was bound to take official cognizance of a *boná fide* change of name. He wished to have the names of those who had applied for the Royal licence, not from a desire to give pain, but because he wanted to know the reasons that had guided the Home Secretary in granting or refusing the desired permission. The Home Secretary said he could give no rule; but was the right hon. Gentleman sure that written rules had not lately been drawn up by the official person who guided the Home Office in these matters? He was told that there were such rules; and if so the right hon. Gentleman could give them, and they could be examined. If that were done, the prevailing impression that a certain influence and power were necessary to obtain the Royal licence would be removed. He was obliged to accede to the right hon. Gentleman's suggestion, but the mischief would remain until some other Lord Llanover, full of the Queen's prerogative, although he came from Marylebone, desired to put himself forward as a great man newly made.

The SOLICITOR GENERAL said, the discussion was very interesting, but was not of very great importance to the country at large. At the risk of appearing to his hon. and learned Friend to err in his law, he must say that to the best of his belief there was no positive law on this subject. The fact was, that surnames grew up mostly as nicknames, of which the hon. and learned Member had given an amusing example. Their very origin showed that there was no positive law on the subject. It was a matter of usage and reputation from the beginning; the name clung to a man, and the law permitted him to shuffle it off if he could. There was no law forbidding a man to change his name; but there was also no law which compelled his neighbour to acknowledge him under the name he might assume. It reminded him of the saying of Owen Glendower—

> "I can call spirits from the vasty deep."

Hotspur rejoins—

> "Why so can I, or so can any man;
> "But will they come when you do call for them?"

It was exactly the same with these names. Everybody was at liberty, if he pleased, to change his surname, but no one else was obliged to recognise the change unless he pleased. It was said, by the Judge who decided one of the cases on the subject, that a man might assume a new name, and "work his way with it in the world as well as he could." When, however, by usage, a man had acquired a name by reputation, then persons in public authority were practically obliged to acknowledge the new surname. His hon. and learned Friend had spoken as if the courts of law were obliged to comply with the request of an attorney who might wish to change his name. In the cases mentioned by his hon. and learned Friend, the court, seeing nothing to the contrary, and being told by the attorney that he intended to use his new surname in future, thought it right—as the man would probably put his name on a brass-plate on his door and be professionally known by his new name—to grant the application; but in granting the very last application of this kind Lord Chief Justice Cockburn expressly guarded himself against laying down the rule that any man had a legal right to call upon the court to alter his name on the rolls. He said the court did it for convenience. There was no law on the subject; but when there appeared to be nothing arbitrary or improper, and when there was no encroachment on the feelings or rights of others, then it was courteous to accede to the wish of a person who might desire to change his name. There was, however, no principle of law that any person occupying an official position, was bound to recognise a capricious or arbitrary assumption of names by persons who had no right to them either by descent or by the inheritance of property.

Motion, by leave, *withdrawn*:—Then,

Address for

"Returns of the number of applications for Royal Licence for a change of Name since 1850:"

"Of the number of Licences granted since the same date:"

"Of the amount of Fees payable on the grant of the Licence:"

"And, of the manner in which the Fees were applied:"—And,

Address for

"Return of the number of applications for Grants of Arms, or for power to change existing Arms, since 1850; the number of such applications complied with, and the amount of Fees payable thereon,"

—*agreed to.*

THAMES EMBANKMENT (SOUTH SIDE) BILL.—LEAVE—FIRST READING.

MR. COWPER, in moving for leave to introduce a Bill to enable the Metropolitan Board of Works to embank that portion of the River Thames opposite the Houses of Parliament extending between Westminster Bridge and the Gasworks near Vauxhall on the south side of the River, said, that all who desired the improvement of the metropolis, and the making of convenient thoroughfares, would naturally consider that one of the first objects to be dealt with was the river. The Thames was the great feature of London, and to its situation on the tidal waters of the Thames London owed its origin, its commercial prosperity, and its pretensions to be not only the metropolis of the British

Empire, but the capital of the world. Although the river had been adequately used for the purposes of commerce, it had been greatly neglected in other respects. We had allowed it to become the receptacle of the offscourings and refuse of the town, and had allowed its mud-banks to become festering heaps when the tide was low, and to disseminate far and wide the most injurious gases. A large portion of its banks had been allowed to be monopolized by private parties, who had erected different places of business, and excluded the public from all access to the river. On the Middlesex side it was true that a mile and a half of embankment existed between Chelsea Bridge and the Houses of Parliament, and by the Act of last Session another embankment of a mile and a half in length was to be made between Westminster and Blackfriars Bridges. On the south side of the river, however, the only portion which could be properly called an embankment, and to which the public had access, was that small part called Bankside, and that small space near Lambeth Palace called the Bishop's Walk. He believed that both of these were portions of an ancient embankment, and that the present course of the river had been influenced by the embankment erected in the earliest times—the times of the Saxons—in order to prevent the water of the Thames from flowing over the low lands, and especially over that part called Lambeth Marsh, which it seemed was formerly entirely covered by the water of the Thames at high tides. However, the water was not entirely kept back by the embankment, for at the present moment at very high tides the water of the Thames flowed over the embankment and entered the lower floors of the houses in many of the streets, to the great inconvenience and misery of the inhabitants, and adding greatly to the diseases which were too often rife in the neighbourhood. There could be no doubt that an embankment of that portion of the Lambeth side of the river was urgently required, and he proposed to embank that part of the right bank which lay between Westminster Bridge and the gas works, and to carry a thoroughfare along the embankment to Vauxhall, and to the Nine Elms station. He would thus provide a convenient communication and a place of recreation where people might breathe the fresh air of the river, and enjoy a view of the Abbey and the Houses of Parliament. It was proposed by the Bill to widen the river at Millbank, which was at present the narrowest part, by which the flow and reflux of the tide would be greatly facilitated. It was also proposed to remove a portion of the mud-banks, which at present occasioned much annoyance and a considerable amount of disease in the neighbourhood. The effect of this would be to reduce the disease which prevailed in a very unhealthy district, and at the same time to remove a large number of noxious manufactories, the effluvia from which extended over the neighbourhood. The Bill proposed to empower the Metropolitan Board of Works to purchase the land required for the embankment and to execute the works, defraying the cost out of the Thames Embankment Fund. The Bill enabled them to raise money upon the security of that fund, but the charge for the southern embankment was to be made second to the charges which had already been put upon the fund, so that the embankment on the north side, between Westminster Bridge and Blackfriars, and the street between Blackfriars and the Mansion House, would have a prior claim. The Bill did not contain any provision for raising funds or imposing taxes, but simply gave the Metropolitan Board of Works the power of spending money which had been allotted to metropolitan improvements. Perhaps it would be said that the whole of the southern side of the Thames ought to be embanked; nor could he deny that it would be a great improvement. But it would involve so large an expenditure of money, and be such an interference with the trade and commerce of London, that he did not think that such a measure was practicable under the present circumstances. What was proposed by the present Bill was certainly the most urgent; and if at a future time it was thought desirable to extend the embankment either above or below the points to which it would be carried by the present Bill, a further measure might be introduced. There could be no doubt that a portion of the Surrey side required improvement both for the health and for the convenience of the inhabitants. The Bill was founded on a recommendation of the Royal Commission. Some modifications had been introduced, but in the main it was founded on the evidence and the Report of that Commission, and he trusted it would receive the sanction of the House.

Mr. W. WILLIAMS said, he was very sorry to hear that there was no intention on the part of the Government to bring in a measure to embank the whole of the south side. Within the last week or ten days there had been very great inundations on the Lambeth side of the river. Many streets had been flooded, and the cellars of hundreds of houses had been deluged and great damage done to valuable property; yet the right hon. Gentleman evaded dealing with more than a small portion of the enbankment. Nothing short of an embankment all the way down to Blackfriars Bridge, if not further, would do justice to the Surrey side. The right hon. Gentleman said the funds which were proposed to be raised for the purpose of metropolitan improvements were to be devoted in the first instance to the improvement of the north side of the river. Did not that mean, that if the improvements on the north side of the river absorbed the whole of the sums provided, the embankment on the south side would have to take its chance, and there was no knowing when it would be completed? In his opinion, the works on both sides ought to go on simultaneously. He was quite sure that the present Bill would be totally ineffective to remedy much of the damage that the inhabitants of Lambeth complained of.

Mr. W. CUBITT said, that the embankment on the north side of the Thames was not intended to meet the convenience of the inhabitants of the river-bank; but it being absolutely necessary to provide some means for carrying the increasing traffic through the City, the Commission was appointed which recommended the embankment of the north side of the river; and this was more especially necessary when it was remembered, that if they did not adopt such a course, the Metropolitan Commissioners of Works would have to lay down a large sewer through the Strand and Fleet Street. There was no great necessity for a new line of traffic on the south side; nor could that side of the river be embanked without interfering with large manufactories carried on alike for the benefit of the owners and the public. He contended, that if persons owned wharfs on the side of the river, it was their duty to see that the walls were carried sufficiently high to prevent the water overflowing; but he denied the fact that, with the exception of that part to be now dealt, with the water did overflow on the south side. He could state from personal observation that between Blackfriars Bridge and Westminster Bridge no inconvenience was suffered from flooding. He agreed that it was necessary that there should be an embankment on the south side between Westminster and Vauxhall Bridges, which were frequently over-flooded, and that the public money would be properly expended in carrying out such a work; but he denied that they would be justified in applying the public money to embanking the Thames on the south side east of Westminster Bridge.

Motion *agreed to*.

Bill for the Embankment of part of the River Thames on the South side thereof, in the parish of Saint Mary Lambeth; and for other purposes, *ordered* to be brought in by Mr. Cowper and Mr. Peel.

Bill *presented*, and read 1°; and *referred* to the Examiners of Petitions for Private Bills; and to be *printed*. [Bill 65.]

POST OFFICE SAVINGS BANKS BILL.

[Bill 22.] Third Reading.

Order for Third Reading read.

The Chancellor of the Exchequer moved the third reading of this Bill.

Mr. HUBBARD said, this measure consisted of two distinct parts. To the first part, which provided for the transfer of funds from one set of savings banks to another, he saw no objection; but the second was hardly consonant with the title of the Bill, and called for some remark. It related to the conversion of a portion of the permanent debt of the country into terminable annuities. This opened up an entirely new question. He had no objection to the selection of the 2½ per cent stock with terminable annuities as the security, in which these funds should be invested; but that was not the present proposition. The present proposition, while it had the ultimate effect of extinguishing a part of the national debt, for a time increased the annual sum chargeable on the Consolidated Fund, and which had to be provided by the taxation of the public. Thus the latter clauses of this measure had an immediate and important bearing on the amount of the burdens to be imposed on the people. It was, of course, a most proper thing to pay off the public debt; but he objected to the House being asked, hoodwinked, to do an act practically adding to the taxation of the country. Clauses, dealing with the conversion of perpetual into terminable annuities, ought to form the subject of a specific measure, instead of being made supplementary to provisions touching Post Office savings banks, with which they had no necessary connection.

The CHANCELLOR of the EXCHEQUER said, his hon. Friend, as he understood him, objected to the structure of this measure because it combined certain clauses relating to the regulation of Post Office savings banks, with certain other clauses referring to the investment of the monies of depositors. Now, in regard to what were called the old savings banks, it had been customary to separate legislation on the subject of finance from legislation on the subject of management; but the necessity for that separation did not lie in any natural incongruity between those two subjects, but arose because there were other parties independent of the Government, who had a great interest in the management of the savings banks, but who, on the other hand, had nothing to do with matters of public finance. But in the case of the Post Office savings banks, where, when once the security of the depositors was provided for, the whole affair was the affair of the public, there was no reason for separating that which related to management from that which related to finance. No doubt, when they proceeded to convert 3 or 3½ per cent stocks into terminable annuities, they increased the annual charge on the public for a time, in order by-and-by to get rid of it altogether; and his hon. Friend's objection was, that that being a distinct object in itself, ought to have been proposed with more Parliamentary form and pomp. That was not necessary, because this measure did not propose the introduction of a new principle, but only the extension of an old one. In the Old Jewry, at the office of the Commissioners for the reduction of the National Debt, the Government had what might be called a shop where terminable annuities were daily bought and sold.

Bill read 3° and *passed.*

THAMES EMBANKMENT (NORTH SIDE) BILL.

Select Committee on the Thames Embankment (North Side) Bill *nominated*:—Mr. Cowper, Mr. William Cubitt, Mr. Bramston, Mr. Tite, Mr. Western Wood, Mr. Ayrton, and Five Members to be nominated by the Committee of Selection:—Power to send for persons, papers, and records; Five to be the quorum.

STATUTE LABOUR ROADS AND BRIDGES (SCOTLAND) BILL.

On Motion of *Sir John Ogilvy*, Bill to amend the Law with respect to Statute Labour Roads and Bridges in Scotland, *ordered* to be brought in by Sir John Ogilvy, Sir James Fergusson, Sir Andrew Agnew, and Mr. William Leslie.

Bill *presented*, and read 1°. [Bill 63.]

STATUTE LABOUR ROADS AND BRIDGES (SCOTLAND) TRANSFER BILL.

On Motion of *Sir John Ogilvy*, Bill to provide for the Transfer of the management of the Statute Labour Roads and Bridges within burghs in Scotland, *ordered* to be brought in by Sir John Ogilvy and Mr. Kinnaird.

Bill *presented*, and read 1°. [Bill 64.]

SALE OF GAS ACT AMENDMENT BILL.

On Motion of *Mr. Bruce*, Bill for amending the Act for regulating Measures used in Sales of Gas, *ordered* to be brought in by Mr. Bruce and Sir George Grey.

Bill *presented*, and read 1°. [Bill 61].

WRITS PROHIBITION (NO. 2) BILL.

On Motion of *Mr. E. P. Bouverie*, Bill to prohibit the issue of Writs for Actions of Debt in the Superior Courts for sums of less than twenty pounds, *ordered* to be brought in by Mr. Edward Pleydell Bouverie and Mr. Hardcastle.

Bill *presented*, and read 1°. [Bill 62.]

House adjourned at a quarter after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, March 18, 1863.

Minutes.]—Select Committee—Thames Embankment—Mr. Western Wood *discharged;* Mr. Crawford *added.*

Public Bills—*Second Reading*—Diseases Prevention (Metropolis) [Bill 41], after debate, *deferred.*

Considered as amended—Hares (Ireland) [Bill 51].

Third Reading—Consolidated Fund (£10,000,000) and *passed.*

DISEASES PREVENTION (METROPOLIS) BILL—[Bill 41.]

SECOND READING.

Order for Second Reading read.

Mr. BRADY, having presented several petitions in favour of this Bill, moved that the Bill be now read a second time. The principle of the measure had already been repeatedly affirmed by the House, and especially by an Act which had been passed in 1860 empowering the authorities in the metropolis to provide vehicles for carrying patients to hospitals. That Act having been found to be inoperative he had felt it his duty to introduce the present Bill, for which great necessity existed. It was well known that much injury was done to the public health by persons labouring under infectious and contagious diseases being conveyed to hospitals, and from house to house, in cabs and other public vehicles. He therefore hoped the Government would see the necessity of passing the measure, and thereby removing the alarm in the public mind on the subject. What happened in regard to the London Fever Hospital, which was only one of the many hospitals and other institutions in the metropolis which received patients suffering from these diseases, clearly showed the necessity for the Bill. From the Report of that Hospital for 1861, it appeared that, during the year, 663 patients were admitted. Of that number no less than 110 died, which proved the serious character of the diseases with which the patients were afflicted. Out of the 663 patients, 265 suffered from typhus fever, of which 18 per cent died, and 9 within 48 hours after they had been taken to the hospital. Of those admitted, 156 were afflicted with typhoid fever, of whom 21 per cent died. As cabs were now constructed, having the inside stuffed with wool or hair, and lined with cloth, it was impossible to calculate how long they would retain the contagion that arose from their having been used by persons labouring under typhus, typhoid fever, or the measles. When a servant was seized with typhus—which she might have contracted while attending upon the children or members of the family—the first thing done was to get a cab, and convey her to an hospital or the house of some relative, and no one could tell how long a time should elapse before it could be considered safe for any one to travel in the same vehicle. The cushions and linings of cabs were a kind of material which would retain the infectious matter for a very long period. In cases of scarlet fever, a small piece of linen was known to have retained the contagious influence for a very considerable period. Of the number of patients admitted to the Fever Hospital in 1861, 86 were the servants of subscribers to the hospital. It also appeared that 534 of them had been sent by order of parish authorities. This fact ought to satisfy the House that the duty of furnishing proper carriages for fever patients ought to be placed, as the Bill proposed, in the hands of the parish authorities, and not in those of the police, to which there would be great objection. An hon. Member had mentioned to him a case in which a lady had been taken ill after travelling in a cab which had been employed to convey a person with scarlet fever, and who narrowly escaped with her life. Looking to the injury done to the public health by the present state of things, he hoped the House would agree to the second reading; and if the Bill was not sufficient to carry out its object, they could make whatever Amendments were necessary in Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. AYRTON said, he hoped his hon. Friend would, upon reflection, see the propriety of withdrawing the Bill. A few Sessions ago, when an hon. Member, who took an interest in metropolitan affairs, introduced into a Bill then passing a clause which would have the same effect as the Bill now before the House, he (Mr. Ayrton) pointed out that the clause ought to be permissive, leaving it to the inhabitants of the metropolis to take what course they might think proper. This was an attempt to legislate upon a matter which affected the general convenience and conduct of the inhabitants of the metropolis; but those who were most conversant with metropolitan affairs were the best judges of what should be done. If the inhabitants of any parish saw any real necessity to provide such special conveyances as were mentioned in the Bill, the House might depend on it that they would be careful enough of their own lives to avail themselves of the permissive enactment in the Act of 1860. The Bill was an example of minute and trifling legislation which would do more harm than good. The patient might die while his friends were consulting whether his was a case for a public or a private conveyance; or the cabman might say that his intended fare was infected with a contagious disease and refuse to convey him except on most extortionate terms. What evidence was there that disease had been propagated by public vehicles? He thought that the existing law was sufficient for the object in view; at all events, there had not been experience enough yet to prove its inefficiency.

Mr. DARBY GRIFFITH was of opinion that the hon. Gentleman who introduced this measure deserved the thanks of the community at large, for it proposed to deal with a very alarming evil. He mentioned a case within his own knowledge, in which a servant with the small-pox had been sent to the hospital in a public cab, to the great danger of the public. It was plain that that cab might be, and probably was, engaged within five minutes after its departure from the hospital for the conveyance of some person who was utterly unsuspicious of the dangerous purpose for which it had just been used. It would be a most extraordinary thing if some measure could not be passed to mitigate the evil. He should be sorry to believe that this matter was beyond the power of legislation. He admitted that it would not do to permit a cabman to refuse any fare; but he would be competent to be an informer. There would be other matters of detail which would, perhaps, require alteration, but that was no reason for ignoring common sense in dealing with these matters.

MR. HENLEY said, he also was quite of opinion that they should take a common-sense view of this question, and therefore he was sorry that the House had not the assistance on the present occasion of that Member of the Government whose business it was to be specially informed on all sanitary matters, for it would have been desirable for the House to have been told whether any parishes had availed themselves of the existing permissive enactment. The House was left wholly in the dark on that point. With reference to the more difficult part of the Bill, the enacting clauses, it was impossible to see how it could be carried out. When he looked at the clauses of the present Bill imposing penalties, he had not the least idea where he was, or what he was standing on. The "interpretation clause" declared that the word "infectious" should include "contagious," and that every "contagious" disease should be deemed to be "infectious." That was working somewhat in a circle, and he was not one jot nearer to a knowledge of what was a contagious or infectious disease. It was right that this matter should be made somewhat clearer before the House subjected people to fines under the Bill. Most persons believed that the itch was catching, but he would not undertake to say whether it was contagious or infectious. At one time another class of diseases was placarded all over London with Dr. Eady's name chalked on the walls. Was a £10 penalty to be imposed for employing a hackney carriage to convey to the hospital persons suffering from such ailments? He really could not tell, for, unlike the hon. Member for Leitrim, he was not a learned man in this matter. If the Government would undertake the responsibility of putting the Bill into a proper shape, he should be ready to support it; but if the Government did not see their way clear to that end—and he confessed that he did not see his way—he should then be quite disposed to vote against the Bill.

SIR GEORGE GREY said, that the clause which proposed to effect something of this kind in the Diseases Prevention Act had been afterwards withdrawn. The hon. Gentleman, in the present measure, proposed to make that which was then permissive compulsory; but there was no machinery whatever in the Bill to carry out the system, nor did he think that the provisions of this Bill were capable of being so altered in Committee as to carry into effect the object which the hon. Gentleman had in view. He was not prepared with statistics, nor did he believe that anybody else was, as to the propagation of diseases by public conveyances; but it stood to reason that diseases might be so propagated. Still, if the House passed an enactment prohibiting persons suffering under infectious or contagious diseases from being removed in hackney carriages, without at the same time providing that there should be a ready supply of special conveyances, the undesirable result would be the prevention, in many instances, of the speedy removal of afflicted people to the hospitals; and another effect would be to deter persons from using public conveyances at all. The first clause stated that in the different localities special conveyances were to be provided in sufficient number, and kept in convenient places; but there was no authority to decide as to the sufficiency of the number, or the convenience of the places. He therefore thought that the proposed enactment would be wholly inoperative; and if the object of the Bill was to be attained at all, it must be by different machinery. It was desirable to have some information as to the extent to which parishes had availed themselves of the permissive Act of 1860; and he believed, that if a compulsory enactment were passed, it could only be carried out by means of the police. They had at their various stations "stretchers," which were carried by a couple of men, and persons, on applying to the nearest policeman, might speedily have that kind of conveyance provided whenever it was required. He was in communication with the Commissioner of Police on the subject, and, under these circumstances, he hoped the present Bill would be withdrawn, or postponed, in order to afford time for further consideration.

Mr. HUNT trusted that the hon. Member for Leitrim (Mr. Brady) would withdraw the Bill, for it was quite evident that the measure could not pass in the shape in which it stood at present.

Mr. BRADY said, he would act on the suggestion, and would postpone the Bill till after Easter.

Motion, by leave, *withdrawn*.

Second Reading *deferred* till *Wednesday* 27th May.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Thursday, March 19, 1863.

Minutes.]—Public Bills—*First Reading*—Post Office Savings Banks (No. 47); Consolidated Fund (£10,000,000) (No. 46).
Select Committees—Illegitimate Children (Ireland), *Report* (No. 49); Poor Relief (Ireland) Act Amendment (No. 12), *Report.*
Committee—Salmon Exportation (No. 39).
Report—Illegitimate Children (Ireland) (No. 50).
Third Reading—Union Relief Aid Act (1862) Continuance (No. 35); and *passed.*

METROPOLITAN AND CITY POLICE.

QUESTION.

The Earl of DALHOUSIE asked, pursuant to notice, Whether the Government intend to take any Steps with respect to the Consolidation of the Metropolitan and City Police? He thought sufficient time had now elapsed since he drew their Lordship's attention to the confusion which took place in the City on the 7th instant, to have enabled the Government to make up their minds as to the steps necessary to be taken to prevent the recurrence of such unfortunate circumstances. He had no intention of withholding from the authorities of the City of London the full credit due to them for the magnificent preparations which they made for the reception of the Princess Alexandra on the 7th of March; but that only made it the more to be regretted that any occurrence should have taken place to mar the success of the occasion. It was still more painful to think, that with the shout of rejoicing that went forth from the assembled multitude at London Bridge and the Mansion House, there should have been mingled shrieks of terror and pain, arising entirely from the want of proper police arrangements to facilitate the passage of the cavalcade through the City. Attempts had been made to account for the failure of the police on that occasion, and the City Commissioner of Police had endeavoured to cast the blame upon the Volunteers of the City of London. He thought that there had never been a charge more groundless against that gallant body. He had received a statement from the officer commanding the London Rifle Brigade, informing him that he had followed implicitly the arrangements laid down for him by the police, but that he found it utterly impossible to take the route pointed out by a sergeant sent expressly as his guide, or to take up the position assigned to the corps by the Commissioner in his programme. But it turned out that there was a difference of opinion between the Commissioner of Police and the Lord Mayor; for while the Commissioner expected the Volunteers to do something towards preserving public order, the Lord Mayor said they were merely there as objects of show—to be looked at, by whom he did not say—and to be altogether subservient in every way to the arrangements of the police. The effects of the mal-arrangement did not occur only at the places he had mentioned; it occurred throughout the whole route of the procession through the City, and the City authorities themselves must have been much disappointed at the want of success in maintaining the thoroughfare clear, from the manner in which their own procession was broken up by the mob. If, however, the disorder had been limited to that part of the procession, it would not have been so much a matter for regret; but it extended to the very safety of the royal visitors themselves; and no one could read what had been stated by the Clerk Marshal in another place without being struck almost with horror at the position in which the royal carriage was placed on that day. In fact, the progress through the City was due almost entirely to the good humour of Lord Alfred Paget, and the anxiety of the people themselves to make way for it. This was not the result of any unexpected pressure. The City authorities had been warned of the pressure which would occur, and were offered assistance in the form both of police and cavalry. This, however, they refused—they placed an unfortunate reliance upon their own power, which utterly failed, and showed how totally unfit they and their police were to cope with an occasion of this kind. Now, it was necessary some steps should be taken to prevent the recurrence of such a state of things as that to which he had adverted; and the only step which could have the effect, was, he believed, the immediate amalgamation of the City with the great body of the Metropolitan Police—a course which ought long since to have been adopted, and the absurd anomaly of having an area of 700 acres kept in order by one set of men, while an area of 78,000 acres in the same metropolis was governed by another, thus done away with. He had, he might add, heard the late Sir Robert Peel say over and over again in the House of Commons, that it was his conviction that one body of police should govern the whole of London. In 1854 a Royal Commission, which mustered among its Members the late Justice Pattison and the present Secretary of State for the War Department (Sir George Lewis), most clearly and distinctly recommended the amalgamation which he was advocating. In giving his evidence, moreover, before that Commission, the late Mr. Daniel Whittle Harvey, the Chief Commissioner of City Police, stated that it was utterly impossible that the detective duties of the police in the metropolis could be carried on by two separate bodies; and it was said, that had he not been afraid of pulling down his house about his ears, he would have given similar evidence with respect to their protective duties. But, be that as it might, the time had clearly come for the settlement of the question, and he felt assured, that if Her Majesty's Government would only take it up boldly, they would be supported in disposing of it, not only by the voices of Members of both Houses of Parliament, but by those of the inhabitants of the metropolis generally, with the exception, perhaps, of some persons who thought that the City of London constituted a body which ought in no respect to be interfered with, however great the benefit to the public at large which such interference might bring about. For his own part, he had no desire to interfere with the general privileges of the City of London, or with those great bodies who dispensed so splendid an hospitality within its limits; but he felt bound at the same time to ask the Government to take into their serious consideration the necessity which existed for securing on all extraordinary public occasions that security for life and property which recent events proved it was in the power of the Metropoiltan Police to secure, and which was everywhere secured throughout the metropolis, with the exception of that particular portion of it over which they happened to have no control. He trusted something would be done by the Government to prevent the recurrence of such scenes as had been witnessed on Saturday the 7th of March, and on the subsequent Tuesday, when the want of an efficient police force in the City had been attended with such lamentable results.

EARL GRANVILLE said, he could to a certain extent confirm, from personal experience, what had been stated by his noble Friend as to very different arrangements which had been made by the Metropolitan Police and those within the City on the occasion to which he had adverted. His noble Friend the Postmaster General, as well as himself, had contrived to see a very large portion of the route, both within and without the City, on the 7th, and there could be no doubt that in the City the confusion was not only very great, but in certain parts almost alarming. Indeed, when he arrived at the Mansion House it appeared to him, as well as his noble Friend, that it would be quite impossible to clear the way for the Royal procession at that point. He had, at the same time, never been struck so much by anything as by the great good humour which the people assembled—he would not call them the mob—in the City and elsewhere had exhibited, whether restrained by the police outside the City or left very much to their own guidance within it. He felt also bound to say that at Temple Bar a large body of City Police were stationed, who were most zealous, and also very civil, in the discharge of their duties. But in some parts of the route, where all progress seemed impossible, he went for a distance of three quarters of a mile without seeing a single policeman, or any attempt to clear the way. But he could scarcely look upon that circumstance as a reflection on the City Police, when it was borne in mind that they had at their disposal a comparatively small number of men to control a vast multitude composed of hundreds of thousands of people. With respect to the particular question put to him by his noble Friend, as to what the Government proposed to do with respect to the amalgamation of the City and Metropolitan Police, he could only say that it was one which the Home Department had lost no time in taking into its consideration. The Home Secretary had written at once to the Lord Mayor, calling his attention to the facts which had been stated with regard to the confusion which had prevailed within the City on the occasion of the Royal procession, and asking him for an explanation both as regarded the numbers of the police on duty on the occasion, the mode of their disposition, and the other different arrangements made by the City authorities to insure due order being maintained during the progress of the interesting ceremonial. The letter had been immediately acknowledged by the Lord Mayor, who stated that an investigation into the matter would at once be set on foot, and that the result would, without delay, be communicated to the Home Office. Up to the present moment, however, no further information on the subject had been received from the Lord Mayor. The Secretary for the Home Department mean time had taken other means to inform himself on the subject generally; but it would be clearly wrong for the Government to come to any definite discussion in reference to it until the necessary facts had been duly laid before them. He was therefore unable to announce that the Government had as yet come to any positive determination in the matter. He had simply to say, in conclusion, that it was the more to be regretted that any confusion should have occurred in the City on the occasion of the Royal procession, because of the great good taste—especially as evinced at London Bridge—of the preparations which had been made by the City authorities to receive the Princess.

THE DUKE OF CAMBRIDGE said, that as he had been alluded to in another place, he might perhaps be allowed to say a few words with respect to the military arrangements which had been made on the occasion of the Royal procession. He was anxious that a certain amount of military assistance should be given in the City; but he was bound to say that the offer of such assistance was, in the first instance, refused. On the Tuesday previous to the procession he had held a meeting of officers who were to be on duty, with the Chief Commissioner of Metropolitan Police. He felt very strongly that aid should be rendered to the City authorities; but he was aware that that aid could not be afforded without an actual request coming from those authorities themselves. He therefore requested Sir Richard Mayne to put himself into communication with the City authorities on the subject, and to suggest to them the expediency of making similar arrangements to those which were being made for the West End. On Thursday morning he received a communication from the Superintendent of Police of the City of London—he was not, however, quite sure by whom it was signed—stating that no military aid was required. This seemed so perfectly monstrous, that being personally acquainted with the Lord Mayor, he took the liberty of sending to him Sir Richard Airey, the Quartermaster General, with a request that he would oblige him (the Duke of Cambridge) by allowing a certain number of troops to go into the City, fearing that otherwise something very serious might occur. In the first instance, he believed, the Lord Mayor, though extremely amiable and courteous in his reply, did not consider it necessary to have such assistance; but on Sir Richard Airey proceeding to point out the expediency of further considering the subject, and one or two others of the City authorities having been called in to take part in the deliberation, it was arranged, after some little discussion, that some troops should be sent. The Lord Mayor had stated, that if they had sent Life Guards instead of Artillery, there would have been no confusion. He did not understand upon what ground that argument was based, for he could not see why one body of troops should be better than another for the purpose. He was quite aware that the Household Cavalry had had great experience in dealing with large bodies of people in the streets, and it was very well known that they invariably acted with great forbearance, and did their work really well. He felt the responsibility of sending other troops into the City, but he had only Artillery at his disposal, and he particularly instructed the officers commanding the Artillery to warn the men to exercise the greatest forbearance, and to allow the people to see as much as possible. He had since spoken to various persons who were in the crowd at the time, and they informed him that they had never seen anything like the good humour and forbearance shown by the Artillery; and he had been further told that but for the ten or dozen men in front of the Mansion House the procession never would have got on at all. It had been said that the trappings of the Artillery rendered them unsuitable for this kind of duty; but he could only say that the trappings of the Artillery were the same as those of the rest of the army. He was also bound to speak for the Lieutenant Colonel of the Volunteer Rifles of the City of London. He had the honour to be Colonel of the regiment. He had had no communication upon this subject with any one, but he had read with care and attention the letter from Lieutenant Colonel Ward in *The Times*, which had never been contradicted, and it seemed to him that that officer had literally obeyed the orders which he received. If the orders were incorrect, they should have been changed. They were published long before the day of the procession, and he believed they were most strictly obeyed. Perhaps it would have been better if the Volunteers had not mustered in Guildhall Yard; but why was the commanding officer not told so? He believed that the City authorities, on the contrary made no communication on the subject. With respect to the question whether or not the City of London should retain its own exclusive police, it was not for him to express an opinion. But one observation he wished to make. He believed that the force was composed of very good men, but on Saturday week they undertook a task which was entirely beyond their strength. To take charge of the whole line from London Bridge to Temple Bar with such an amount of force was impossible. He thought it highly objectionable that on great occasions like that of Saturday week two or three authorities should divide amongst them the responsibility of preserving order; and whether the two forces were amalgamated or not, he hoped that some arrangement would be made to produce uniformity of action in future. There was a great difficulty about the military authorities. They were desired to assist the civil power, but the City of London was hermetically sealed to them. Although he had the command of the army, and communicated with the greatest cordiality and good feeling with the Metropolitan Police, he had positively no right to ask the City of London authorities any question upon the subject. They were extremely courteous in making arrangements, and he should be sorry if it were thought that he had said anything discourteous to them. He had no such feeling; but he felt that on great occasions, when order and regularity were essential, it was necessary that Her Majesty's Government should take means to place the conduct of the arrangements in the hands of some one authority, and he was convinced, that if that were not done, some frightful calamity would occur on some future great occasion. The City of London had come forward most nobly in the reception which they had given to the Royal Princess, and their arrangements on the whole had been excellent; but he certainly did not think that their police arrangements were so. It was very wise, in his opinion, to give orders that the Volunteers should not take any part in keeping back the crowd. However well-conducted they might be, they were unaccustomed to the duty, and could not be expected to perform it in the same way as soldiers. The armed force which was allowed to interfere with crowds should be under the strictest discipline and accustomed to military obedience—two conditions which they could not expect to find fulfilled in the case of the Volunteers. He hoped, that whatever the decision might be with regard to the amalgamation of the two police forces, Her Majesty's Government would take some steps to constitute a central authority by whom, on another similar occasion, order and regularity might be more easily maintained and more thoroughly preserved. He could not sit down without expressing the great satisfaction with which he had observed in all the streets the great order and regularity of the Metropolitan Police and the courteous manner in which they behaved to the crowd, while at the same time efficiently performing their duty; and he was glad of the opportunity of thus bringing their conduct prominently to the notice of the House.

Lord TAUNTON said, he was Chairman of the Commission which sat eleven years ago to investigate this question of the City Police, and so distinctly was he impressed with the importance of having one police force for the whole metropolis, that he should regret if this opportunity were lost of making a reform which the circumstances of the case imperatively required. On so great an occasion as the procession through the City, no matter what were the arrangements, but for the good conduct of the people it would be impossible to avoid some accidents. It was plain that very defective arrangements were made in the City, but his opinion was not based upon what had recently taken place. Of late years it must have been a source of pride and congratulation that the immense congregation of human beings in the metropolis had been attended with scarcely any disturbances ; but, however much they might rejoice, whatever confidence they might entertain, it would be the extreme of imprudence not to insist on the establishment of an efficient police in it, and as long as the anomaly of the City Police existed, they could not have an efficient police. What were the circumstances under which that force had a separate existence and organization ? An area of one square mile, which was taken charge of by the City Police, was surrounded by an area of 570 square miles in the hands of the Metropolitan Police, and even the ground between high and low-water mark within the City boundaries was not within the jurisdiction of the City Police. Nothing could be more inconvenient than such a state of things, and any one who would read the evidence of the late Mr. Daniel Whittle Harvey the late Commissioner of the City Police, and a most able officer, could not fail to come to the conclusion that an end ought to be put to that anomaly. It was stated to the Commission that the rate of pay of the City Police was raised in comparison with that of the Metropolitan Police, and the excuse was that the men were required to be fine, tall men to gratify the City authorities, although the duty was not more laborious in the City than elsewhere. Of all the institutions in the country the most difficult to reform or interfere with was the City of London. They might reform the House of Commons ; they might reform the law ; but any Administration which loved its ease was very careful how it placed a finger on any abuse connected with the City. He was no enemy to the City of London. With its ancient associations, and a fame dear and venerable to Englishmen, he wished to see it kept up in decent state, with the power of exercising hospitality and indulging in harmless pieces of show ; but it ought not to be allowed to do what was actually mischievous to the rest of the metropolis. He prayed their Lordships not to be put off by the answer that this could wait for a general reform. If they waited for a general reform of the City of London, they would have to wait until the Greek Kalends. He despaired of a general reform, and he hoped Her Majesty's Government would not let slip this opportunity of making a much-needed improvement. Although he had an immense opinion of the obstructive power of the City of London in the other House of Parliament, the case was so clear, and public attention had been so directed to it, that he had no doubt the Government could, if they pleased, succeed now in destroying an anomaly, and establishing one general and efficient body of police for this great metropolis. They would not be meddling with any ancient institution, for the present system was not above twenty-five years old. Formerly each ward in the City had its own police, and it was only when the Metropolitan Police was established that the whole force was put under one head.

LORD OVERSTONE said, he much regretted that any such occasion should have arisen for this discussion, but was surprised that an anomaly so absurd and so inconvenient should have existed so long. Reasoning about it was out of the question altogether ; it was a case for denunciation, and not for argument. The City Police extended over a district of a mile and a half square, and a population of 170,000 persons ; and was placed in the middle of the great metropolitan district, embracing a population of 3,000,000. The simplest application of common sense must show at once that such a system must produce great inconveniences. If in the centre of a great army sent into the field for important operations were placed a small division entirely separate and distinct from the rest, differently organized and differently trained, and with independent commanders, it was evident that the whole efficiency of the general military force would be destroyed. It was hard to understand how this anomaly had been suffered so long. It had been said that we were a practical people, and never made any alteration until a grievance had been clearly shown ; in fact, that we required "a bishop to be burnt," as was wittily said by the late Mr. Sidney Smith ; but surely the Government could require no stronger practical proof of the inefficiency of the present system, and no stronger incitement to do their best to amend it, than the extreme inconvenience and reasonable apprehension to which it had subjected the Princess in her passage through the City. The answer of the President of the Council was certainly not what they might reasonably expect, and he was convinced, that if they would take the question up with a strong hand, they would meet with most efficient support from both Houses of Parliament, and from public feeling out of doors. He could not for one moment suppose that the Government would be deterred from a course which the public interest imperatively demanded by the paraphernalia of the Corporation, their fine dresses, their state coaches, or their magnificent entertainments. If they would show a little firmness and determination, all the opposition would speedily vanish, and they would be enabled to put an end to an anomaly which at present paralysed the whole police system of the metropolis.

POST OFFICE SAVINGS BANK BILL.

Bill read 1ª. (No. 47.)

CONSOLIDATED FUND (£10,000,000) BILL.

Bill read 1ª. (No. 46.)

House adjourned at a quarter past Six o'clock, till to-morrow, half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, March 19, 1863.

MINUTES.]—SELECT COMMITTEE — Thames Conservancy, &c., *appointed* (*List of Members*).

PUBLIC BILLS—*First Reading*—Public Houses [Bill 67]; Local Government Act (1858) Amendment [Bill 69]; Vaccination (Ireland) [Bill 70]; Judgments Law Amendment (Ireland) [Bill 71].

Second Reading—Marine Mutiny; Inclosure.

Committee—Tobacco Duties [Bill 56]; Corrupt Practices at Elections [Bill 8]; Telegraphs [Bill 16] *r. p.*; Mutiny; Trustees (Scotland) Act Amendment [Bill 59].

Report—Tobacco Duties [Bill 66]; Corrupt Practices at Elections [Bill 68]; Mutiny; Trustees (Scotland) Act Amendment.

Third Reading—Hares (Ireland) [Bill 51]; and *passed*.

PUBLIC HOUSES BILL.

Bill for closing Public Houses on Sunday, *presented*, and read 1º. [Bill 67.]

THE CLOTHING FACTORY AT PIMLICO.

QUESTION.

MR. HARVEY LEWIS said, he would beg to ask the Secretary of State for War, Whether it is true, as asserted, that an order has been issued by the Director of Clothing to the women employed at the Royal Clothing Factory at Pimlico by which they are ordered to provide themselves with the undermentioned articles by the first of April next—namely, one black lace cap, trimmed with scarlet riband, one Garibaldi jacket of violet llama, and one large jean apron, the cost of which articles will be 10*s.* at least; and that those not complying with the order are to be dismissed; and whether it is true that the average amount earned by those women does not exceed 10*s.* per week?

SIR GEORGE LEWIS said, in reply, that the adoption of the uniform dress, to which the question referred, was purely voluntary. He understood that those workwomen who were willing to adopt the dress were furnished with it for 3*s.* 5*d.*, which sum they paid by weekly stoppages of 3*d.*, and their wages were between 9*s.* and 10*s.* a week.

RETIREMENT ON HALF PAY. LIEUTENANT COLONEL CHARTERIS.

QUESTION.

MR. CONINGHAM said, he rose to ask the Secretary of State for War, Why the Royal Warrant, dated 28th March 1861, which prescribes twenty-five years as a necessary preliminary to the privilege of retiring on half-pay, was departed from in the case of Lieutenant Colonel the Honourable Richard Charteris, who was on the personal staff of the Commander-in-Chief, and who only completed his twenty-one years of service in October 1861; also, for what reason a similar indulgence has been refused to other Officers of the Army?

SIR GEORGE LEWIS said, in reply, that Colonel Charteris had not retired under the warrant of March 1861. He had exchanged with an officer on the half-pay list, in accordance with a regulation which he (Sir G. Lewis) understood had been rarely refused to be applied in the case of officers who were recommended by the Commander-in-Chief. Any officer who had served twenty-five years might claim to go on the half-pay list without any exchange.

MR. CONINGHAM said, the hon. Baronet had not answered the latter part of the question.

SIR GEORGE LEWIS said, he was not aware of any case of refusal. If the hon. Gentleman would mention any such case he would undertake to make inquiry into it.

THE ISLAND OF SAN JUAN.

QUESTION.

Mr. LONGFIELD said, he wished to ask the Under Secretary of State for Foreign Affairs, What progress has been made towards a settlement of the dispute between the Government of Great Britain and the late United States of America, as to the Island of San Juan; if any Correspondence between the two Governments has recently taken place on that subject, and if there be any objection to lay the same before this House?

Mr. LAYARD, in reply, said, since the breaking-out of civil war in the United States the communications between Her Majesty's Government and the Government of the United States on the subject had been suspended. No communications had recently taken place on the subject, and those that did take place some time ago were not complete, and it would be inexpedient, therefore, now to place them on the table of the House.

NAVAL AID TO CHINA.—QUESTION.

Mr. ADDINGTON said, that he wished to ask the Secretary to the Admiralty, Whether the Officers of the Royal Navy now in the service of the Emperor of China have received permission from the Admiralty to wear the uniform of Her Majesty's Navy during the period of such service; and whether there would be any objection on the part of the Government to produce a Copy of the Instructions given to Commodore Sherard Osborn on his proceeding to China?

Lord CLARENCE PAGET said, in reply, that the officers who were about to serve under the Chinese Government were not entitled to wear Her Majesty's uniform in that service. As to that part of the question relating to instructions given to Commodore Osborn, he had to state that the Admiralty issued no instructions whatever to that officer. He was absent on foreign leave, and would obtain his half-pay, as he and other officers were, by an Order in Council, allowed to serve under the Chinese Government.

Mr. ADDINGTON said, he wished to know whether the noble Lord was aware that the naval uniform was worn by those officers.

Lord CLARENCE PAGET said, he believed that the Emperor of China had established a uniform for the naval officers.

Mr. ADDINGTON said, he spoke from information he had received when he stated that officers with Commodore Osborn were wearing the naval uniform.

Lord CLARENCE PAGET replied, that all he could say was, that they were not entitled to wear Her Majesty's uniform.

THE DEBATE ON GREECE—MR. ELLIOT.

EXPLANATION.

Mr. GREGORY: Perhaps the House will allow me to detain it for one moment on a personal matter. It will be remembered that the other night, in the course of the observations that I made in the debate on the subject of Greece, I alluded to Mr. Elliot. I mentioned that Mr. Elliot had been sent to Greece, thereby virtually superseding Mr. Scarlett; and I also alluded at the same time to a report which was current at one time that it was the intention of the Foreign Office last year to remove Sir James Hudson from Turin, and replace him by Mr. Elliot. I am sure the House will remember that the observations were made merely in a spirit of banter, and not in the least with the idea of giving offence. But I regret to hear that those observations have given pain to Mr. Elliot's family. I am told also that I have been entirely misinformed as to any steps ever having been taken by the Foreign Office for replacing Sir James Hudson and substituting Mr. Elliot; and further, that it never was the intention of the noble Lord at the head of the Foreign Office to make any such change. I extremely regret that I made any such observations, and thus gave pain to a gentleman who, I believe, is a most honourable and deserving servant of the Crown.

TOBACCO DUTIES BILL—[Bill 21.]

COMMITTEE.

Order for Committee read.

The CHANCELLOR of the EXCHEQUER, in moving that Mr. Speaker do now leave the Chair, appealed to the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) to allow the Motion to pass in lieu of raising the preliminary question of referring the Bill to a Select Committee. He made the appeal first, because he believed that it was wholly without precedent, when a proposal affecting the revenue as well as the trade of the country had been submitted to the House by the executive Government on their own responsibility, that the House should decline to pronounce judgment on the proposal and refer it to a Committee upstairs. He would not, however, rely upon that precedent if he did not believe that it was founded in wisdom, and that much inconvenience would arise from the departure from it in the present instance. He believed there was no more searching examination than that which a responsible Minister of the Crown underwent in a Committee of the Whole House. The effect of sending a financial proposal to a Select Committee was entirely to shift the responsibility from the Finance Minister to his permanent advisers, the officers of the Customs and Inland Revenue Departments. The Finance Minister, if he were indolently disposed, might sit with folded arms, and allow those officers to fight it out as well as they could. But who was to be responsible for the Bill afterwards? The House had uniformly acted upon the principle that the Minister alone was to be held responsible for Bills of this description. If, on the other hand, matters of the kind were to be bandied about in a Committee, the only effect would be to relax the rules upon which public business was conducted, and to weaken the hold of the House over the executive Government. Wishing to avoid this, he deprecated the Motion of which the hon. and learned Gentleman (Mr. Ayrton) had given notice. But great inconvenience would also arise from dealing with the proposal in the manner suggested. The hon. and learned Gentleman had held communications with his constituents and with others in the trade; but he (the Chancellor of the Exchequer) might venture to say that the communications which the Government had had the opportunity of holding were much more comprehensive and varied than it was possible for the hon. and learned Gentleman to have held. It was the duty of the Government to make as good an investigation as they could into a subject before they made any proposal to the House. Then, after the proposal had been submitted, it was their further duty to avail themselves of every opportunity for improving the details of the measure. And in an experience of twenty years he had uniformly seen measures thus brought in and discussed by all parties, either directly or by their representatives in a Committee of the Whole House. He felt entitled to say that the hon. and learned Gentleman, in the Motion which he was to make, was not acting in conformity with the wishes of those who were interested in the matter. He (the Chancellor of the Exchequer) had seen parties interested in the trade who came from Scotland and Ireland, and the Bill, with the further Amendments which it was proposed to introduce, was satisfactory to them. He was afraid it was not satisfactory to the constituents of the hon. and learned Gentleman (Mr. Ayrton); but the difference mainly was upon the duty upon segars, and he (the Chancellor of the Exchequer) contended that that was a question which ought to be dealt with in a Committee of the Whole House. A statement had been circulated that the dilatory proposal of the hon. and learned Gentleman need not, in carrying out, occupy more than a fortnight. He did not know who drew up that statement, but it must have been some one unacquainted with Parliamentary business, and especially with that relating to the Tobacco Duties. A Select Committee was appointed to sit on the Tobacco Duties in 1844. It was appointed on the 14th March, and it reported on the 1st August in that year. If the hon. and learned Gentleman's proposal was carried, his Committee would be appointed about the same time as that of 1844; it would begin to sit just when the Finance Minister had to submit to the House the financial measures for the year; it would report somewhere towards the close of the Session; and the object of certain parties would be gained, by all legislation being put off for the year. He ventured to say that that was not what was desired by those who were most interested in the subject. He had received a letter from one of the largest importing houses in London—a house than which there was none, he believed, better entitled to speak on behalf of the trade—he meant Grant, Hodgson, & Co., of Fenchurch Street—and the purport of that letter was to state the apprehension with which they viewed the Motion of the hon. and learned Gentleman, and the inconvenience to which long delays in the settlement of commercial questions necessarily gave rise. They further expressed a hope that the hon. and learned Gentleman's Motion would not be adopted. It was really for the interests of the trade that this question should be settled without delay, and that the decision of the House should not be postponed to meet the views of those whose object, like that of all traders in every branch who were apprehensive of a change, was to defeat effective legislation. On these grounds he appealed to the hon. and learned Member to withdraw his Motion.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. AYRTON said, nothing would afford him greater pleasure personally than to accede to the request of the Chancellor of the Exchequer. If, however, any new argument were wanting to confirm him in the intention which he had formed, it would be the speech which the right hon. Gentleman had just made. It now appeared that the Bill before them was to be subjected to further Amendments in order to propitiate the Scotch and Irish trade, while a less influential interest was to be left with its grievances unredressed. He denied that his Motion was in substance a novelty. He had not searched the Journals of the House for precedents; but as long as the proposal was not inconsistent with their forms, it was perfectly competent to adopt it, if the novel circumstances created by the Chancellor of the Exchequer necessitated it. It was certainly something new in the history of legislation that a measure of this kind, affecting both trade and finance, and contradicting the deliberate opinion of a Select Committee, should be pressed through the House without any fresh examination of the subject and without a fraction of unprejudiced and authentic evidence to support it. The right hon. Gentleman had not always been so averse to Committees. He was very fond of representing himself as solicited by two ladies in opposite directions, and last Session two rival charmers appealed to him in regard to the sugar duties. The free-trade party demanded equal duties, and the manufacturers a scale of duties. Under those circumstances, the right hon. Gentleman agreed to a Committee. Again, when those imposts which were called the "vexatious trade duties," and of which the right hon. Gentleman was the author, came before the House, his parental fondness for them inclined him one way and the menace of the City merchants another way. In order to solve the difficulty, a Committee was appointed, with the right hon. Gentleman's consent. What ground, then, had the right hon. Gentleman for saying that the proposal now made was a dangerous novelty? The Chancellor of the Exchequer's argument was based on the gratuitous assumption that the appointment of a Committee would diminish his official responsibility. It would do no such thing. It would merely collect all the information that could be got, make a Report, and leave the right hon. Gentleman to form his own conclusions It was idle to say that the proposal to refer the Bill to Select a Committee would have the effect of removing responsibility from the Government. The Chancellor of the Exchequer, when he made such a statement, must have forgotten that the Bill would come back from the Select Committee, and would then be considered in a Committee of the Whole House. Let him remind the House of what was done only a few years ago. No subject was more invested with the sacred attribute of responsibility than the patronage involved in the promotion and retirement of officers of the Crown; yet, when that matter was brought forward, the Government were quite prepared to divest themselves of responsibility, and to send the question to a Committee upstairs, where the Members chosen for the purpose were proceeding as if they were executors disposing of an estate. He hoped the Chancellor of the Exchequer would recognise the precedent thus set by the noble Lord at the head of the Government. Surely they were not going to be told that one Minister might have a policy of his own, making a reputation at the expense of another, for that was a kind of political morality which the Chancellor of the Exchequer would be the first to disclaim. If, then, the right hon. Gentleman was bound by the precedent of his own Colleague, he could not set up the bugbear of responsibility in opposition to the proposal for an investigation by a Select Committee. No doubt, when the Bill first came before the House, it had the weight of the previous knowledge and the acquired certainty of judgment of the Government; but it had since undergone very extensive alterations, and, in point of fact, none of its original propositions remained. Upon what ground could the Government now ask the House to rely on their judgment? What guarantee had the House that their present judgment was better than the one which they submitted on the introduction of the Bill? If there had been so much acknowledged error—if the House had got rid of those pretensions to infallibility which free-trade enthusiasts too frequently set up—surely he had a right to imagine that something still remained requiring careful and deliberate investigation. He accepted the principle that there was to be a duty equivalent to that imposed upon the imported article, and that there was to be a surcharge by way of compensation for the increased expense put upon the English manufacturer by reason of his working a highly-taxed commodity under a most oppressive system of combined Customs and Excise; but he denied that the application of that principle in the present instance was either just or honest towards the English manufacturer and English workmen. How could the contradictory statements upon that point be examined in anything like a satisfactory manner in a Committee of the Whole House? The elements of the difference between the Chancellor of the Exchequer and himself were of a most complex and confused character, and embraced many facts requiring minute investigation. One of them was the loss in weight of tobacco by reason of the diminution of moisture; and the result of the whole was, that the English manufacturer, not desiring to prevent or delay a change, but wishing to meet the question fairly, declared that the equivalent of all the difficulties he had to encounter was a duty of 6*s.* per pound. But there were other and greater difficulties which required to be examined in a Committee. When the English manufacturer had to make cigars, he must make them as he could out of whole bales of tobacco; and the consequence was, that when he had made good cigars at a profit, he had to make up his waste material and sell it at a loss. Thus cigars were actually sold in this country at 6*s.* 3*d.* per pound, duty and all. The foreign manufacturer laboured under no such disadvantage. Moreover, the English manufacturer was not allowed a drawback, so as to enable him, when his market was glutted with a particular quality, to relieve himself by exportation. The circumstances of a trade so hampered as that could not be properly dealt with by a Committee of the Whole House. The English manufacturer ought to have an equivalent for the prohibitions to which he was subject, and to be put upon a par with the foreigner by being released from vexatious restrictions. The trade had not slighted the Chancellor of the Exchequer in this matter, but the right hon. Gentlemen had declined to accept their statements. How, then, was the House to decide between the two? The ground on which he asked that this whole question as regarded the makers of cigars should be investigated was, that when all the evidence had been obtained, the Government might be able advisedly to come down with a proposition doing justice to this branch of manufacture. He was glad that he had not to enter into the other branches of the trade, because the Chancellor of the Exchequer had assented to what was necessary for the protection of their interests. But there still remained other points demanding consideration. One manufacturer might say he was satisfied with an assurance from the Chancellor of the Exchequer that this Bill would not be worked to his prejudice; but another man might prefer to have the security of an Act of Parliament to a letter from that right hon. Gentleman. The provisions of the Bill, as they stood, were perfectly illusory; because they proposed a system of charging the duties according to the quantity of moisture in tobacco, without defining what moisture was, or stating the principle on which it was to be calculated. The amount of alcohol in wine could be told by any chemist; but no chemist could tell how much moisture there was in tobacco, so as to bring it within one scale of duty or another. Instead of its being left absolutely to the discretion of the officers of Excise in cases of dispute, the principle on which the duty was to be computed should be contained within the four corners of the Act, so that the trader might easily calculate it for himself. He would not enter into further details, lest the Chancellor of the Exchequer should charge him with wishing to envelope the question in a cloud of mystification. The petition presented to that House by the working men, and endorsed by their masters, was based on the circumstances under which that manufacture was carried on in this country and on the Continent respectively. These persons said, the result of this Bill would be to reduce them to destitution. The Chancellor of the Exchequer might say, "Oh! these are phantoms which you have raised up on the side of protection." Now, it might be very pleasant for a man to indulge in the dreams of his own imagination, and to fancy that all the prosperity of the country sprang from his measures. But death from starvation was no phantom, but a stern reality; and that stern reality he wished to avert from the borough he had the honour to represent. It had been the fashion to gloss over the sufferings of other branches of trade by vague talk about the prosperity of Lancashire, and to say that the giant industry of that county would absorb all the unemployed operatives in other districts. But what had now become of the boasted prosperity of Lancashire? Five hundred thousand of her working people were now the pauperized recipients of the public bounty. Was this a time, then, for even running the risk of creating further distress? The Chancellor of the Exchequer might rely upon the classical maxim, "*Divide et impera;*" and having got rid of those who were most troublesome by their numbers, he might think he could easily deal with some 2,000 persons who had only one or two representatives in that House. But was it right to consign them to the condition which they said would be the inevitable result of this legislation? History abounded in instances where very small circumstances had seemed to produce very great results; but that had only happened in countries which had fallen into such a condition that it needed but a spark to produce a conflagration. Was there no fire now smouldering? There was not a Lancashire manufacturer who dared to stand up in that House and speak upon the condition of that county at this moment; and when a notice was given by an hon. Gentleman (Mr. Ferrand) to call attention to that subject, it had struck all the manufacturers with terror, and they were quaking in their shoes at the possible consequences which might ensue. He knew that the curtain raised the other day by a leading public journal, just to give nice, fashionable people a glimpse of what was going on in Lancashire, was only lifted up in part, and that what was thereby revealed was as nothing compared with what still remained undisclosed. If they chose to send these people to starve, they had the power to do so, and the Chancellor of the Exchequer had the eloquence to excite them to do it; but he, at least, would have the satisfaction of knowing that he had made an appeal to the justice and generosity of the House of Commons. He begged to move the Amendment of which he had given notice.

COLONEL FRENCH seconded the Amendment.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 170; Noes 87: Majority 83.

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Duties on Manufactured Tobacco).

THE CHANCELLOR OF THE EXCHEQUER said, he thought it would be for the convenience of the Committee that he should state, in a very few words, some of the changes or adjustments which he proposed in the Bill. He had hoped that the Bill would pass through its remaining stages very speedily; but as those changes, though simple, would be numerous, he should propose to reprint it after it had gone through Committee. The first change was with regard to the duty on high-dried snuff. That was a very peculiar question—it was highly improbable there would ever be a large trade in this commodity. He proposed then, first, to raise the duty upon high-dried snuff, or rather to lessen the diminution of duty, so as to leave it at 4*s.* 6*d.* instead of 4*s.* 2*d.*; and secondly, to alter the standard of what should be called high-dried snuff from 10 to 13 per cent. The next change which he proposed to make related to foreign cavendish in bond, the duty on which he proposed to fix at 4*s.* 6*d.* instead of 4*s.*; and to fix the duty upon British cavendish in bond at 4*s.* instead of 3*s.* 8*d.* The third change he proposed was to make a very small addition to the drawback. At present the drawback was fixed by the Bill upon the assumption of a certain average amount of moisture, and that drawback as now fixed was an exact measure of the amount of duty. But wishing to make the measure as liberal towards the trade as he could consistently with the interests of the revenue, he had thought it fair and right to propose to the Committee to take into view the fact that upon all descriptions of tobacco manufactured there was a certain amount of inevitable waste, from absolute loss in the manipulation, the cutting, grinding, &c., amounting perhaps to 1 or 2 per cent. In the particular case of high-dried snuff it amounted to much more. Persons engaged in the manufacture were aware of the difficulty, and that it was found impossible to arrange the drawback upon this material differently. He therefore proposed, with regard to all kinds of drawback, to raise the standard—or rather the pivot, if he might so speak—of drawback from 3*s.* to 3*s.* 3*d.* a pound all round. This would be a considerable advantage to the export trade in general. The fourth proposed change related to the provisions contained in the Bill, according to which 3*s.* 6*d.* would be chargeable upon the importation of all tobacco which contained less moisture than 10 per cent. There had been a very justifiable anxiety on the part of the importers that the bearings of this question should be carefully explained. One gentleman, named Lloyd, to his great astonishment, had sent in a statement which he thought would make the hair on the head of his hon. Friend the Member for the City (Mr. Crawford) stand on end. It was the desire of this gentleman, and of the trade which he represented, that all tobacco, on its importation, should be tested in order to ascertain what quantity of moisture it contained. The hon. and learned Member (Mr. Ayrton) would probably take up the cudgels for Mr. Lloyd, who was one of his constituents; but this view was so diametrically opposed to anything that had been stated by any person acquainted with the sentiments of importers and manufacturers that he (the Chancellor of the Exchequer) could only condole with the hon. and learned Member for the Tower Hamlets with regard to the errors of those whose organ—a most able zealous one, he admitted—he was. The hon. Member for the City had expressed a hope that nothing of the sort would take place, inasmuch as the proposition would have the effect of barring a trade that was special and indirect, and had for its aim a sort of evasion of duty. He (the Chancellor of the Exchequer), acting upon the representations of some gentlemen from Liverpool, represented by the Members for that town, had inserted in the Bill a few words, in the first clause, making provision that no tobacco which, when imported into this country, was packed in the usual manner, should be subject to testing for moisture, unless by the special order of the Board of Customs. There was a reservation, however, that the test should be applied if the Board considered it necessary. These were the only changes, beyond mere verbal alterations, which he proposed to make in the Bill.

SIR STAFFORD NORTHCOTE wished to ask, with reference to the first clause, whether there was to be a limit to the drawback on stalks? He understood it was to be limited to those stalks only which were used in the manufacture of snuff.

THE CHANCELLOR OF THE EXCHEQUER said, that there was no change whatever on the point referred to. The intention had never been to allow a drawback upon stalks, for reasons connected with the revenue laws. But by the Bill a drawback was to be allowed on snuffs, of which stalks were the raw material, and on the stalks when cut up in the regular process, along with the leaf, as "bird's-eye tobacco."

MR. AYRTON said, he wished to correct one error into which the right hon. Gentleman had fallen. The right hon. Gentleman had said that the trade was in favour of discriminating duties. The fact was, that the trade did not wish for discriminating duties at all; but they said, that if they were to have them, they preferred to have them more reasonable than they were in the Bill; they desired that they should not proceed by jumps of 10 per cent, but by steps of 5 per cent.

THE CHANCELLOR OF THE EXCHEQUER said, he read a letter from Mr. Charles Lloyd, who, he believed, was the feeder of the hon. and learned Gentleman of all the information he possessed on the subject, in which he stated that it was perfectly necessary for the establishment of fair competition between the home producer and the foreigner that there should be paid on moist tobacco a proportionate rate of duty with that levied on dry tobacco. Why, this was the very thing to which the hon. and learned Member was opposed; but Mr. Lloyd said it was one of the three things that were essentially necessary.

MR. AYRTON pointed out that the letter contained some qualifying expressions.

THE CHANCELLOR OF THE EXCHEQUER said, that no doubt the hon. and learned Gentleman was entitled to the benefit of the whole of the contents of the letter. With regard to segars, he would not detain the Committee at length, but he would be prepared to answer any questions which might be put to him on that point. The case of segars must be considered as one involving various features, because segars were made from tobacco coming from many different quarters. He would illustrate the case of segars by two examples—one of average tobacco made into segars, the other an extreme case with a view of testing the proposition of a 5*s*. duty. He held that it was not the duty of Parliament to undertake to cover every extreme instance in every minute ramification of trade. That, he thought, was a sound principle, and a principle on which their legislation had hitherto proceeded; but in the present instance he did not hesitate to say that his proposal covered every case that had been brought within his knowledge, and every case that he believed existed in the ordinary course of trade; and if they had known as much before his proposal was made as they knew now, he did not think he should be justified in proposing so high a discriminating duty as 5*s*. on the foreign article. Now, with regard to the example of segars made from tobacco of ordinary quality, including Havannah of a somewhat dry kind, Yarra, German, and Dutch tobacco, he would assume, for the purpose of calculation, an importation of 100 lbs. of tobacco. He would first calculate the duty directly paid by the manufacturer on that 100 lbs., next any indirect charges entailed upon him, and then he would put down, on the other side, any sets-off that might be made. He would take the number of pounds of segars which the manufacturer could make out of 100 lbs. of tobacco, and divide the total amount of duty paid, directly or indirectly, by the number of pounds of segars made out of the 100 lbs. of tobacco, and that would give the amount of countervailing duty. Now, 100 lbs. of Havannah leaf, of a somewhat dry quality, yielded 17 lbs. of stalks, which, though not worth anything for entering into segars, would sell for 2*s*. 4*d*. a pound in the market. There would be 14 lbs. of refuse and moisture from such an amount of this tobacco. Deducting 17 lbs. of stalk and 14 lbs. of refuse, or 31 lbs., from 100 lbs., there would remain 69 lbs. of segars to be got from 100 lbs. of tobacco. Now, the duty paid, including the allowance for interest on the duty between the time when the article was imported and the time when the duty was received back from the consumer, and other contingencies, was £16 1*s*. 9*d*. Deducting from that the sum of £1 19*s*. 8*d*., the value of 17 lbs. of stalks, there remained £14 2*s*. 1*d*. Dividing this by 69 lbs. of segars, it would be found to represent a payment in duty of something like 4*s*. 1*d*. per lb. He proposed to allow 5*s*., in order that the labourers who were employed in the manufacture, amongst whom were women and children, might be well looked after. His real difficulty, therefore, was not to defend the 5*s*. duty against those Gentlemen who thought it ought to be increased, but against those who, in the interest of a rigid free trade, considered it ought to be diminished. He would now take the extreme example of Havannah tobacco. This might be stated to contain about 23 per cent of moisture, and therefore a case most unfavourable for his purpose. He had heard of cases of 24 and 25 per cent of moisture, but no case of that kind had been strictly verified. The hon. and learned Member for the Tower Hamlets asked what was moisture? He did not know whether the House was capable of appreciating the process by which the moisture of any given article was ascertained; but there was, or used to be, at the Kensington Museum, a very interesting-looking vessel, the inscription on which set forth that it contained the constituent elements of the human body; and, as far as he recollected, out of 150 or 160 parts into which the whole was divided there were 110 or 112 parts of moisture. [An hon. MEMBER: Oh! more than that.] He hoped the hon. and learned Member would take up the moisture question on his behalf. It was true that many of those for whom the hon. and learned Member spoke knew little about the moisture in their tobacco. It often happened, that when a trade lived under the warm shelter of protection, and secure of monopoly, those engaged in the trade were not driven to ascertain the minute particulars of the trade they carried on. But taking the extreme case of Havannah—here at all events the amount of moisture could be ascertained by chemical analysis. Allowing, then, 23 per cent for moisture and a corresponding amount of stalks the case would stand thus:—100 lbs. of Havannah leaf of the wettest description contained 23 lbs. of moisture, 18 lbs. of stalks, and 2 lbs. of refuse, smalls, and waste. It followed that there were 43 lbs. to be deducted from the 100 lbs.; which left 57 lbs. of segars to be got out of the

100 lbs. But then the 18 lbs. of stalks sold for 2*s*. 4*d*. the lb.; and making the calculation and allowances as before, the result showed that the duty which the manufacturer paid on 57 lbs. of segars was £13 19*s*. 9*d*., or 4*s*. 10¾*d*., or say in round numbers, 4*s*. 11*d*. per lb. Perhaps it would be said this was running it rather close, and that in the extreme case 5*s*. did not cover the manufacturer. That remark would be true but for one element in the calculation, which he had not yet presented to the House. In the calculations made it was assumed that the segars were perfectly dry; but the ordinary state of foreign segars imported into this country was that they contained 16½ per cent moisture; and British segars, made from Havannah leaf, contained 15½ per cent of moisture. The consequence was that the duty of 5*s*. gave the home manufacturer the whole advantage of 15½ per cent of moisture in every 100 lb. of tobacco. The hon. and learned Member for the Tower Hamlets had made himself the mouthpiece of persons who stated that one good and profitable mode of making segars was to take tobacco of a certain description, and to reduce it one-half its weight, and that such was the process pursued on the Continent. Such, said the hon. and learned Member, was the extraordinary nature of tobacco leaf that it was capable of being increased or diminished in weight 100 per cent. That statement was made on a former evening, but it had not been repeated to-night. He (the Chancellor of the Exchequer) had been given to understand, in his own room, that if you brought down 2 lb. of tobacco to 1 lb. you would get a good tobacco; but then the argument he founded upon that alleged fact was that the British manufacturer was entitled to a 6*s*. 4*d*. countervailing duty. Of course, you might reduce paper one-half or more by burning it, and so you might reduce meat more than one-half by burning it to a coal. Would the hon. and learned Member rise in his place and repeat what he said the other night on this subject? He would tell the hon. and learned Member, that if tobacco were reduced one-half in weight, there would remain nothing but a woody fibre—everything would have been taken from it that constituted tobacco, and no smoker would be induced to put it to his mouth. It was true that an insignificant trade in which reduction was adopted was carried on upon the Continent. For any reduction that could be effected by importers consistently with the making of a good merchantable article, British manufacturers would have an ample allowance in the 5*s*. duty upon foreign segars proposed by this Bill. That duty was proposed with the view of compensating the British manufacturer for everything that he had paid, and for all the pecuniary disadvantages he might have to incur in consequence of the law.

MR. AYRTON said, the Chancellor of the Exchequer had made certain statements which he had no doubt were in the main correct, for they were arithmetical calculations based on certain given quantities of tobacco. But he (Mr. Ayrton) had also calculations made by Cope Brothers and Co., of Liverpool, and based on very much the same quantities as the Chancellor of the Exchequer had given, from which it resulted that out of 100 lbs. of tobacco there would remain 49½ lbs. of leaf, and that consequently the duty ought to be 5*s*. 7*d*., and not 4*s*. 1*d*., as the right hon. Gentleman had calculated. But, independently of this, there were many incidental points to be brought into the account as between the manufacturer in England and the manufacturer abroad, which the Chancellor of the Exchequer had not taken into calculation. For instance, the duty on foreign segars at present was 9*s*. a pound. That was a prohibition, except as regarded the slave-made segars of Cuba, and the segars of the royal monopoly at Manilla. One of the great disadvantages under which the British manufacturer laboured in comparison with the foreign manufacturer was that the latter had frequently a monopoly of the market. The Havannah manufacturer, for instance, had so completely the control of the market, from the limited supply of the particular article he manufactured, that if the dealer in this country chose to purchase one box of the best, he was compelled to buy also one box of the second-best, and one box of the worst. The British dealer, on the other hand, was compelled to sell the inferior article separately and at a great loss. Now, this was an important incident, because if the English manufacturer could only sell the first quality at a profit, and the inferior qualities at a loss, the amount of duty became a large figure. Again, the longer a segar was kept the less moisture it contained, and the more valuable it became. The foreigner would be able to keep his segar in bond, and the less moisture it contained the better it would be for him, as he only paid duty upon the weight; whereas in the case of the English manufacturer, the more the loss of moisture the greater the loss to him, because he had paid duty upon the moisture. He must charge a higher price on the residue, in order to cover that loss. The more the value of the commodity rose to the foreigner, the greater was the relative loss to the English manufacturer. These were serious elements, because, when they came to close competition, they had to be taken into account. With regard to the process of steeping, what he (Mr. Ayrton) said was, that in an extreme case it could be shown that tobacco lost half its weight, and he contended that in a question of duties and equivalents they must have regard to extreme cases, and for this reason;—That if a man had a commodity, though it were a woody fibre, it was still a fibre of tobacco wood, that could be used to mix for the purpose of keeping up the bulk, and at the same time of diminishing the weight of segars. They had positive experience with regard to the steeping process in the class of segars known as Swiss or Vevay segars. These segars were imported, and could pay a duty of 9*s*. They were made of steeped tobacco, and when weighed against tobacco of the same sort manufactured in this country, it turned out that there were 240 segars in the pound of those imported, and only 120 in the pound of those made in this country. The Chancellor of the Exchequer said this was an extravagant case; but it was still a case of business actually going on, and such was the gain to the continental manufacturer resulting from this process of steeping, that he could actually make his segars pay a 9*s*. duty and yet exhibit them for sale. Nevertheless, the Chancellor of the Exchequer said that a 5*s*. duty was sufficient. That was an important question —for this reason, that having established a prohibitory duty except as regarded Havannah and Manilla segars, it had been the interest of the manufacturer to keep up his weight, because upon his weight he had paid duty; and there being no such obligation on the foreigner, he could reduce the specific gravity as much as possible, and get the largest bulk for the smallest amount of duty; and if the foreigner could do this to an enormous extent in one class of segars—the Vevay segars—what would the industry of Germany do when it came to treat tobacco under the new regulations? Why, every class of tobacco would be subject, to a greater or less extent, to this steeping process, and the English manufacturer would be driven out of the market. The gain to the foreigner would be enormous. In the first place, he could use a coarse tobacco which the English manufacturer could not use, because it was too coarse, and thus he gained fourpence per lb. on the mere value or cost price of the tobacco. That was a subject which the Chancellor of the Exchequer ought to consider. When they dealt with revenue, they were bound to regard extreme cases, otherwise those extreme cases might be used for turning the scale of the market. Now, he asked the Chancellor of the Exchequer to put a clause in his Bill which would place the English manufacturer on exactly the same footing as the foreigner as to the steeping of tobacco in bond. If he would do that, he would admit he was dealing with his argument in a practical way. The right hon Gentleman had not dealt with another question inseparably connected with this, for which he was bound to make provision. The English manufacturer was obliged to buy his tobacco with the stem in it, for which he paid duty; but the foreigner took out the stem before he paid any duty. On what principle could that be justified? He would ask the right hon. Gentleman to allow the tobacco to be stemmed in bond, and thus to place the English manufacturer in the same position as the foreigner. He wanted to hear upon what principle it was that the manufacturer in this country was not allowed to export his segars? Let the Chancellor of the Exchequer answer that on the principles of free trade. The English manufacturer was compelled to take in his tobacco, and make his segars, and then he was not allowed to send them out unless he paid as much duty as amounted to a positive prohibition. Facility for exporting segars would be the greatest possible relief to the English manufacturer, because he could sell very fine segars to gentlemen of fortune in England, and send out the coarser qualities to the people in the colonies, who were not so nice.

The CHANCELLOR OF THE EXCHEQUER said, that the hon. and learned Gentleman had asked him several pointed questions, and had at the same time indulged in vague statements and been very shy of matters of fact and computation. The extreme case, as he had called it, of tobacco being reduced, by steeping, 50 per cent, did not exist, and was impossible. It was not in the nature of the tobacco plant that it should exist. A good merchantable segar could not be made in that way. As to the inquiry whether he would introduce a clause into the Bill for steeping in bond, he had to state, that having seen the hon. and learned Gentleman's constituents and other manufacturers of tobacco from Liverpool, Ireland, and Scotland, not one of them had made the slightest reference to the subject; and therefore there was no *primâ facie* case for such a thing. With regard to the Swiss segars, they were told that by some wonderful hocus-pocus a Swiss manufacturer could make 240 out of a pound of tobacco, and the English manufacturer could only make 120. Why, he should think that in England, if they knew how to bisect them, they might make nearly 240, though not quite. The Swiss segars had been examined, and, instead of having been reduced one-half, according to the plausible and bold statement put forward, they had only 20 per cent taken out, and 80 parts of the old plant remained. With regard to the clause suggested, if it was a matter of extensive interest, it was a fair subject for consideration; but as it had never before been raised, it was impossible for him to give a pledge at the present moment. The hon. and learned Gentleman had stated that there was no allowance for stems in bond. That was to be considered in two points of view; and when they came to the question of drawback he would give an answer upon the subject. He would not enter upon it now, because the argument was as to segars, with which it had no connection whatever. The hon. and learned Member asked why they did not permit segars to be exported. He answered that they did permit segars to be exported. The importer brought 100lbs. of leaf into this country. In the manufacture he took out a certain quantity of stalks, and a small amount of absolute waste. He paid 3*s.* and 5 per cent, and they gave him back 3*s.* 3*d.* upon every pound of segars, and upon every pound of stalks manufactured in this country. His belief was that that came as near to a fair and sufficient drawback upon the manufacture of tobacco in general as could be calculated; but, at the same time, he admitted frankly that it was not possible so to construct a system of drawback as to make it cover everything that might be quoted in the nature of an extreme case. He certainly should hope that the export of segars would be a profitable business, and that a great stride would be given to it by the new enactment as compared with the present state of the law. The quotation of the hon. and learned Gentleman from Mr. Cope was perfectly fallacious. In that statement it appeared that 49½lbs. of segars were the proceeds of 100lbs. of Havannah leaf. He wanted to ask if those 49½lbs. were dry or not—was all the moisture taken out of them? [MR. AYRTON: They are dry.] Dry was a relative term. What was the meaning of it? Did Mr. Cope mean that the moisture had been taken out of that tobacco or that it had not?

MR. AYRTON said, the statement explained itself. It meant 49½ lbs. of marketable segars.

THE CHANCELLOR OF THE EXCHEQUER said, that if it was 49½ lbs. of marketable segars, his answer was that the computation was wholly fallacious, because it was made upon an extravagant supposition (the fact never having happened) that the whole of the moisture had been taken out of the segars; whereas in marketable segars from Havannah there was 15½ per cent of moisture; and thus came to grief the calculation of Mr. Cope and his hon. and learned Friend.

COLONEL DUNNE said, he should like to know how the sudden conversion of the Irish trade had been effected. In the afternoon they were by no means satisfied with the answers they had received from the Chancellor of the Exchequer; but as they had now disappeared from the lobby, he supposed that by some means they were appeased. He wished particularly to know what provision would be made for providing bonded warehouses in various small towns in Ireland through which tobacco manufacturers were dispersed. If small manufacturers were not to be allowed the advantage of bonded warehouses, it would, in fact, ruin their business. He also wished to know the reasons which had induced the Chancellor of the Exchequer to deal in the manner he had with cavendish tobacco.

THE CHANCELLOR OF THE EXCHEQUER said, he would explain the provisions for bonding at a future stage. It had been arranged with the Irish manufacturers that the duty on sweetened British tobacco should be 4*s.* instead of 3*s.* 8*d.*, and on foreign tobacco of the same description 4*s.* 6*d.* instead of 4*s.* It was possible that the Irish part of the deputation which waited on him last night might have been dissatisfied with the tone of the discussion ; but he begged to inform the hon. and gallant Gentleman that upon questions like this he had always taken care to obtain the assistance of some of the officers of the Revenue Department conversant with the matter ; and having heard the statement of the deputation and advanced all the objections which struck him, it was his custom to debate the matter with the revenue officers before he came to the conclusion as to what step should be taken. That course had been pursued upon the present occasion, with what result the hon. and gallant Gentleman had seen. It would have been very wrong if, until he had an opportunity of talking the matter over, he had made the concessions there appeared to be fair ground for. The general rule in the tobacco trade at home, and, he believed, in foreign countries—certainly in France—was to allow the admixture of no foreign material excepting water. There had grown up in this country, notwithstanding this prohibition, a taste for a particular kind of sweetened tobacco. The question was whether this taste should be supplied in the irregular manner it was at present through the medium of smuggling, or by allowing the general sweetening of tobacco of all descriptions, or by distinguishing the ordinary manufactured tobacco from the sweetened cavendish. He thought the prohibition of cavendish would act as a stimulus to smuggling. Neither could he allow that the use of sweetening matter should be generally permitted. For he could not recommend the House to adopt provisions in the revenue law which he had been told by the executors of that law would be impracticable. Then came the question, what they were to do with cavendish ? The anxiety of the Irish manufacturers was—if you will not permit us to use sweetening materials in the manufacture of British cavendish and of the roll tobacco, then take care you make the sweetened cavendish a great deal dearer than the roll tobacco, so that the two may stand upon tolerably fair terms. This was the demand to which he had acceded.

Mr. AYRTON said, seeing that the statements made by the trade through him were denied by the Chancellor of the Exchequer, the whole matter must rest upon his responsibility. It was useless to prolong the discussion. He suggested, however, that as moisture had been made an element with regard to the duty on tobacco, the same principle should be applied to segars, and that high-dried segars should be subject to a duty in excess of 5*s.*

The CHANCELLOR of the EXCHEQUER said, he was not aware of the existence of a class of segars to which the principle could be applied. The importer from Havanna now paid 9*s.* upon segars containing 16½ per cent of moisture. He was not likely to be anxious to spoil his segars by reducing the moisture when the duty was only 5*s.* If a distinction were introduced, it must be by reducing segars which were not high-dried ; but he did not believe there was any difference.

In reply to Mr. Butt,

The CHANCELLOR of the EXCHEQUER said, that it was absolutely necessary in the working of the bonded system to hold the manufacturer responsible for the acts of his servants. At the same time, it would not be competent to any common informer to inform against a breach of the revenue laws. All informations must be laid by the revenue officers.

Colonel DUNNE reminded the right hon. Gentleman that he had not answered his question with respect to warehouses in Ireland.

The CHANCELLOR of the EXCHEQUER said, that it was not intended to confine bonded warehouses to ports or large towns, but to place them where urgently required. At the same time, he should give no pledge with respect to establishing them in any particular district.

Mr. CHILDERS suggested, that the allowance for waste, instead of being left to the discretion of officers of the Revenue Department, should be made upon fixed rules.

The CHANCELLOR of the EXCHEQUER approved of the suggestion, and altered the clause to the effect that such allowance should be made according to rules laid down by the Commissioners of Customs.

Clause amended, and *agreed to ;* as were the remaining Clauses.

House *resumed.*

Bill *reported ;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 66.]

CORRUPT PRACTICES AT ELECTIONS BILL—[Bill 8.]—COMMITTEE.

(*Progress 2nd March.*)

Bill *considered* in Committee.

(In the Committee.)

Clause 8 (Evidence of Witness on Election Committee, and before Commission).

Sir GEORGE GREY said, that on the last discussion of this Bill he had been strongly pressed to consent to an alteration in the indemnity, so as to make it absolute instead of dependent upon the pleasure of the Committee or Commission. He had since consulted with the Attorney and Solicitor General, and as they saw no objection he had agreed to make the alteration. It was only fair that the witness should answer every question addressed to him; and if he did, under the provision he now proposed the Committee or Commission would have no choice, but would be bound to give him a certificate. Of course, if the witness perjured himself, an indictment would lie against him. He therefore proposed, in line 40, to leave out from "and" to "examined" in page 4, line 4, inclusive, and insert—

> "Provided always, That where any witness shall answer every question relating to the matters aforesaid, which he shall be required by such Committee or Commissioners (as the case may be) to answer, and the answer to which may criminate, or tend to criminate him, he shall be entitled to receive from the Committee, under the hand of their clerk, or from the Commissioners, under their hands (as the case may be), a certificate stating that such witness was, upon his examination, required by the said Committee or Commissioners to answer questions or a question relating to the matters aforesaid, the answers or answer to which criminated or tended to criminate him, and had answered all such questions or such question."

Mr. BUTT said, that the clause as proposed to be amended by the right hon. Gentleman made the protection depend entirely upon a person obtaining a certificate from the Commissioner, and upon his answering not merely a question tending to criminate himself, but upon answering all questions that might be put to him. He (Mr. Butt) thought, that when a question had been extorted from a man which tended to criminate himself, the indemnity should be complete and unconditional, and not made to depend upon anything he might do hereafter. He should therefore propose to insert in the clause a proviso to this effect—

> "Provided always, That when any person shall be compelled under the provisions of this Act to give, and shall give, any answer criminating or tending to criminate himself, such person shall not at any time thereafter be liable to any indictment, prosecution, or penal action, for or in respect of any act or matter by him done or committed before his examination, in connection with any election forming the subject of such inquiry, for which he might have been prosecuted or proceeded against under such Acts."

Sir MINTO FARQUHAR said, he had placed a verbal Amendment on the paper, much shorter in its terms than that of the hon. Member for Youghal (Mr. Butt), but intended to effect the same object.

Sir GEORGE GREY said, the effect of the Amendment proposed by the hon. and learned Member for Youghal would be that a man having answered one single question which criminated himself, he would be indemnified, not only against the consequences of that answer, but also against proceedings in respect of all corrupt practices in which he might have been concerned at the election. Now, he thought that would open the door to great fraud, and, in fact, defeat the object of the Bill. The purpose of the Bill would be frustrated unless the Commissioners were vested with a discretion as to granting their certificate to a witness who prevaricated, or made but a partial and incomplete disclosure of facts within his knowledge.

Mr. LYGON said, he had given notice of a Motion to strike out the clause, but the Amendment proposed by the right hon. Gentleman had entirely removed all his objections, and therefore he had very great pleasure in withdrawing his proposed Motion.

Mr. COLLINS hoped the hon. Member for Youghal (Mr. Butt) would not press his Amendment.

Sir FITZROY KELLY said, that the right hon. Baronet had had the courtesy to give him an opportunity of considering the proposed Amendment, which seemed to him—although as to terms it might have been framed more accurately for the purpose it was intended to effect—substantially to meet the whole of the difficulties—and they were numerous—that had existed in regard to a clause providing, that when a witness compelled, contrary to the constitutional rule, to criminate himself by answering the questions put to him, it should be left in the discretion of the tribunal before which he appeared to determine whether he should be protected or not.

Mr. BUTT having intimated that under

these circumstances he would not propose his Amendment—

Amendment *agreed to.*

Sir GEORGE GREY then proposed a further Amendment, to insert, at page 4, line 6, after the word "Acts," the words "or for which he might have been prosecuted or proceeded against under such Acts."

Amendment *agreed to.*

Mr. HUNT said, he thought this clause would bear hardly upon candidates and sitting Members, who did not stand in the same position as other witnesses. A sitting Member might be summoned by an adverse party to give evidence, and by his own testimony alone he might be made to forfeit his seat. That was a dilemma in which he ought not to be placed. He therefore moved the addition of the following words:—

"Provided also, That nothing in this section contained shall apply to the case of any sitting Member or defeated candidate called as a witness before any election committee.

Sir GEORGE GREY said, he regretted the hon. Member had not given notice of his Amendment. It involved an important principle, and at present he could not support it. The exemption of Members, he thought, would be most invidious.

Mr. BUTT said, with his present feeling he should be prepared to support the proviso. The object of the Bill was to protect from penal consequences those who gave evidence; but if the man against whom the petition was presented were unseated on his own evidence, they did not protect him against the penal consequences. He did not wish to expose a man to the terrible temptation of saying what was untrue, and as far as he could see at present he was inclined to support the Amendment. He suggested that the proviso should be withdrawn now, and proposed again on bringing up the Report.

Sir FITZROY KELLY thought it would be very invidious and unjust to exempt Members from the extraordinary and unconstitutional liability which it was deemed expedient to impose on the rest of the community. He likewise believed that the proviso in itself would be almost nugatory, as it would be impossible for any Member to defend his seat if he refused to answer any proper question addressed to him, on the ground that it might criminate himself.

Mr. COLLINS said, the question involved was one of great magnitude, and should not be discussed without previous notice. He hoped his hon. Friend would consent to defer his proposal to a future stage.

Mr. AYRTON denied that an investigation before an Election Committee was a penal proceeding; it was a mere contention for a civil right, as a lawsuit for an estate would be, though the defeated party would necessarily be sensible of the loss. He hoped hon. Members would continue to be examined as they had been, for he must say the effect of personal examination had very often been to enable Members to keep their seats by clearing themselves of any personal knowledge of bribery, where without such testimony the evidence would have led the Committee directly to the conclusion that bribery had been committed.

Mr. Serjeant PIGOTT said, he trusted the Amendment would be withdrawn. So far from protecting themselves from answering these questions, if any exception were made, it ought to be the other way, and they should rather incline to the side of severity than indulgence. A Member of Parliament owed more to the Constitution than any mere private voter.

Mr. CHILDERS said, that there was another reason for withdrawing the Amendment, and that, was that it placed the elected in a better position than the elector. The elector was compelled to answer, and if he were proved guilty of bribing, or being bribed, was liable to be struck off the register: a Member refusing to answer should be liable to lose his seat.

Mr. LYGON hoped the question, which was one of importance, would not be prejudiced by a hasty decision. He thought they should fix some time for its special consideration.

Mr. DENMAN said, he thought the hon. Member ought not only to withdraw the proviso, but never to introduce it again, either on the Report or at any other stage. If such a proviso were seriously attempted to be introduced into the Bill, the country would never believe they were in earnest, as he believed they were, in their endeavours to put down bribery.

Mr. HUNT said, that in moving the proviso he had no intention of giving Members any advantage over the rest of the community. He only desired to give them the same rights as any other witnesses examined before an Election Committee. But after such an expression of opinion as he had heard he would not press his Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 9 (Regulations for Election Committees).

Mr. LYGON put it to the Secretary of State whether it would not be well to leave out those words of the clause which referred to treating, on the ground that he believed it was impossible to conceive an election in which there would not be some cases of treating. Treating was very much a question of degree. By that clause the mere giving of a glass of beer to a voter would bring the candidate, if the act were traced to any of his agents, within the penal enactments of the measure. He moved to omit the first paragraph of the clause.

Sir GEORGE GREY supported the clause as it stood. No doubt treating was a matter of degree. There might be a small amount of treating, but there might be extensive treating. The Committee had unanimously recommended that the proof of agency with regard to treating should be placed on the same footing as the proof of agency with regard to bribery. In some cases that had been brought before the House, the treating was so extensive as to be merely another form of bribery.

Mr. LYGON observed, that a bribe was a bribe, and when once given and taken there was no doubt of the character of it; but it was a question whether giving a glass of beer was treating. He thought they ought not to take evidence of treating until they had established the connection between the sitting Member and the acts complained of.

The ATTORNEY GENERAL said the hon. Gentleman seemed to think that the clause made it incumbent on Election Committees to receive evidence of treating before proof of agency was offered. But he did not read the clause in that way. It would, he thought, be in the discretion of the Committee, according to the circumstances of the case, to receive evidence of acts of treating independently of any proof of agency. The clause merely said it should not be necessary to prove agency in the first instance, before giving in evidence the facts whereby the charge of treating was to be sustained.

Amendment, by leave, *withdrawn.*

Mr. GATHORNE HARDY suggested the insertion of the words "unless the Committee shall otherwise decide."

Amendment *agreed to.*

Mr. CHILDERS proposed to extend the operation of the clause to cases of undue influence.

Amendment *negatived.*

Clause *agreed to.*

Clause 10 (Prosecutions for Bribery) *agreed to.*

Clause 11 (Suspension of Writs).

Mr. COLLINS moved an Amendment, to leave out "House of Commons resolves," and insert "the Houses of Parliament separately resolve." The suspension of the writ by a Vote of the House of Commons alone was an infringement of the prerogative of the Crown and the privilege of the House of Lords.

Sir GEORGE GREY pointed out, that as the powers would be exercised under an Act of Parliament which had received the sanction of the House of Lords and the assent of the Crown, there would be no infringement either of the privileges of the House of Lords or of the prerogative of the Sovereign. If the concurrence of the two Houses was required, the House of Commons might, if the assent of the Lords was refused, be tempted to suspend the writ during the continuance of the Parliament. This power, he thought, was open to abuse, and he should be glad to see it abolished.

Mr. LYGON said, he had always voted against the suspension of writs; for he could never understand why innocent voters should be deprived of their rights because a number of other electors had been guilty of malpractices. It seemed to him that the clause unduly restricted the prerogative of the Crown, and he should therefore propose the omission of the clause altogether.

Mr. Serjeant PIGOTT observed, that if the concurrence of the other House were required to the suspension of a writ, the consent of the Crown would also be necessary. If an Act of Parliament gave the House of Commons the power, he did not see why they should hesitate to accept it. There would be little fear of their misusing it.

Sir FITZROY KELLY said, he could

not support the Amendment, as he did not think the House of Lords should be permitted to interfere directly or indirectly with elections of Members to serve in the House of Commons. Looking, however, at the clause as a whole, giving power to suspend writs for a period of five years, which might extend beyond the duration of the Parliament, he thought there was matter worthy of further consideration.

MR. CLAY wished to know whether the clause would supersede the ordinary Parliamentary right of suspending a writ; and whether, if a writ were once suspended for five years, that term could be afterwards shortened if the circumstances should seem to justify it?

SIR GEORGE GREY said, the Bill contained an express provision that it should not affect the right of Parliament to alter or suspend the right of voting of all or any of the electors in any place for which the writ was suspended. It gave power to suspend a writ for five years absolutely, even though the House should not continue in being so long; and when once a writ had been suspended under this clause for five years, there was no power to shorten the period.

MR. BENTINCK protested against the unconstitutional suspension of writs proposed by the clause. It was well known that when a Motion for suspending a writ was brought forward it was turned into a party question, and that the issue or non-issue of the writ depended entirely upon whether the constituency whose bribery was in question would return Members in favour of the majority in the House.

Amendment, by leave, *withdrawn.*

MR. J. J. POWELL (Gloucester) moved the omission of the clause, with the view of substituting for it a clause of which he had given notice. He did this because he believed the clause to be unjust and unnecessary, and because he believed that, with all its unnecessary injustice, it would be found inoperative to produce the good result expected from it. Unless the clause was absolutely necessary, its injustice was so palpable that he did not propose to detain the Committee at any length by exposing it. What the Committee was asked to do was in effect this:—That whenever a Commission of Inquiry should report that in a constituency, say of 2,000 voters, they had discovered, after diligent scrutiny, some 200 or 300 of those voters were habitually corrupt, the House should disfranchise the whole 2,000, for the sake of punishing or purifying the 200 corrupt persons. Such a proposition was so monstrous that it must strike everybody with conviction that nothing but the sternest necessity could justify it; and he therefore passed on to consider whether it was necessary. Now, it could easily be demonstrated that it was not necessary. What was the object of their legislation on this subject? He presumed it was to purify, and not to disfranchise, the constituencies. And how could they best purify without disfranchising them? Why clearly by excising from them the corrupt members. But how were they to find them out? Why, they would be already found out and reported to them by name by the very Commissioners and the very Report on which the House was asked, because of those corrupt persons, to disfranchise also the best and worthiest members of their community. But then, it might be said, how could they rely on the Report of those Commissioners? how could they know that they had fully inquired and faithfully reported? The answer was first of all, whether they knew it or not, the Bill proposed to rely on their Report to disfranchise not a part only but the whole of the community; and secondly, that all experience of these Commissions and Commissioners authorized them to place implicit confidence in them. They were gentlemen of great experience, they were armed with all the powers necessary for inquiry, and he had never heard a doubt suggested as to their perfect impartiality. Several witnesses examined before the Committee, in 1860, gave their testimony on this subject. One of them, who had been secretary to several Commissions said, "I think they always get at the truth," and strongly recommended, that instead of the present system of trying petitions by Committees, they should be tried by Commissioners on the spot, which it was shown would be a much more effective and a much less expensive method of procedure than by Committee. When a Commission of this kind visited any place, the whole constituency was put upon its trial. If any one had anything to allege against the purity of the place generally, or of any electors in particular, he was at liberty to state it. The persons accused were sent for, heard in their own defence and by their witnesses, and might in their turn accuse others, who would have to go through the same process. The Commissioners then reported that certain persons named had been guilty of corrupt practices; and in their schedule they included every person against whom the evidence of guilt was deemed sufficient. It was material to observe that they arrived at this result, in a great measure, through the assistance rendered to them by the honest portion of the community. Gentlemen who were disgusted at the corrupt practices which had prevailed at and disgraced the place they resided in, rendered the Commissioners all the information and assistance in their power, and thus enabled them to get at the truth. The inquiries of the Commissioners were thus made very searching, and the result was that the House knew who the corrupt persons were, and knew also that substantially all the rest of the community were not corrupt. The necessity, therefore, which could alone justify disfranchising a whole constituency did not exist. Moreover, this provision, like other things of its kind, would nullify itself by reason of its injustice. At present they had in their favour all the honest men in the community—such men were equally interested with the House in getting rid of the corrupt, and did all they could to assist in doing so. But how would this clause operate? Why, it would give every honest man the same interest as the rogue in concealing corrupt practices. How could they expect a man to expose the offences of others, when he was himself to be punished for them? He wondered what result the right hon. Gentleman would expect from an enactment to the effect, that it being necessary to put down bribery and corruption, every person reported as guilty of those offences should receive a certain number of lashes, and then going on to enact, that it being extremely desirable that such persons should be brought to justice, every honest man who would give such information as should lead to the conviction of offenders should receive precisely the same punishment. [*A laugh.*] They laughed at that as absurd, but in principle it was precisely what the right hon. Gentleman proposed to do. It might be said, that a great evil existed, and something must be done. To this he replied, adopt the natural and just course of disfranchising those, and those only, who deserved disfranchisement. If difficulties were objected, let them examine them. It might be said, that as these Commissions were not part of the ordinary tribunals of the country, it would be unsafe to deprive a man of his franchise simply upon their Report. It might also be said that to do so would be a breach of the certificate of indemnity given to those who made a full disclosure before the Commissioners. A short examination would show the fallacy of those objections. First of all, if they were objections, they were as much so to the Government clause as to that which he would substitute for it; for as they were going to disfranchise all upon the Report of a Commission, it could not be more objectionable to disfranchise a portion only on the same Report. As to the exceptional character of the Commission, that might be easily provided against by giving a power of appeal under proper restrictions; and as to the certificates of indemnity, the Government proposed to disfranchise those who had them as much as he did, and in fact, if they did not, the only persons who could be disfranchised would be those innocent persons who had not got, because they had never needed, certificates of indemnity. Surely the guilty would not be the less disfranchised because the innocent were disfranchised with them; and surely the legislature, when it passed the indemnity clause, never contemplated that it should be not only a shield from the consequences of past offences, but a licence to commit the like offences for the future? He was aware the right hon. Gentleman contended that he was not introducing a new principle, and that the law of making a community responsible for the misconduct of individuals was of very ancient origin, and was still in existence. But surely there was no analogy between making a hundred responsible for the damage done by rioters, and making the inhabitants responsible criminally and subjecting them to the same punishment as the rioters whom they had vainly tried to resist. And if the right hon. Gentleman wished to revert to the rude or simple legislation of our Saxon ancestors, which made every tithing man responsible for the good conduct of every other man in the tithing, let him at least accompany it with the wise and just proviso which characterized the Saxon law—namely, that if a man could purge himself of the offence by proving that he was no party to it, he should not be amerced for it. The hon. and learned Gentleman concluded by moving the omission of the clause; and said if it were carried, he would propose a clause for disfranchising such persons as a Commission should report to have been guilty of corrupt practices.

Mr. KNIGHTLEY said, he should vote for the omission of the clause, because he thought the penalty under it was not sufficient. There were certain places, that were very well known, that ought to be disfranchised altogether.

Sir GEORGE GREY said, there was nothing in this clause which would prevent Parliament disfranchising any place where corruption was almost universal. It was intended to meet those cases in which, although corruption was extensive, there might be a majority who were not corrupt. The principle was this :—To enable the House, if it thought bribery had been so extensive as to call for a temporary suspension of the writ, to act upon the whole community of electors, and therefore create an interest in preventing corruption altogether. It was true that in some cases, where Commissions had reported extensive bribery, acts of corruption had not been proved against one third of the individual electors. But it was impossible to read the Reports without seeing that countenance had been given to bribery by persons not engaged in it. It was clearly impossible to prevent corrupt practices being carried on if this clause were altered so as not to affect the whole community. It did not follow that in every case the House would support the Resolution. If a large proportion of the electors appeared to have taken steps to prevent bribery, it would be competent to the House to abstain from doing so. They would simply have the power, wherever there was proof of the corruption of a number of electors, and connivance or indifference on the part of the rest. His hon. and learned Friend proposed to deal only with individual electors ; that individual electors guilty of bribery should be struck off the poll, and that where the proof before the Commission was not conclusive an appeal should be had to the Court of Queen's Bench. Upon what ground was it persons were reported guilty of bribery ? Upon their own evidence, subject to the indemnity to which they were entitled ; and the Bill declared that such evidence should not be used in any court of law. If therefore persons came before a Commission and declared their own corruption, and were reported to be guilty of bribery, they would have nothing to do but appeal to the Court of Queen's Bench; and if an issue were tried, the evidence upon which the Commission reported would be excluded, and they would be, by an easy process, restored to the franchise. He hoped the House would retain the clause in its integrity, which he believed would have a very beneficial effect.

Mr. GATHORNE HARDY said, that if the hon. and learned Gentleman had been returned for Gloucester free from any taint of corrupt practices, it was a clear proof of the beneficial influence of suspending a writ. If any appeal were given, it must be to the County Courts, for the expense of the Queen's Bench would deter those electors who wished to adopt that very certain mode of being restored to the register. He thought that where corruption existed to a considerable extent without affecting the character of a borough, there should be some minor punishment short of total disfranchisement, and that some time for suspension should be fixed. He thought that in fixing five years the Committee had not gone too far.

Mr. HENLEY wished to know whether the Resolution of one Parliament was to bind another, and whether the House of Commons was to have the power to make a hard and fast bargain which might extend over two or three Parliaments ? It would he a very strong proceeding. He could quite understand resolving that during their own life-time they would suspend the issue of any writ ; but he was not aware of any precedent for giving to a Resolution of that House the power of law, and he thought that if they wanted to go beyond the Parliament in existence when the Resolution was passed, they should have the sanction of the other House, and of the Queen. Without reference to the merits of this case, it was a serious thing to make a precedent for giving to a simple Resolution of one House in one Parliament the power of effecting certain things after the Parliament itself had come to an end, either by efflux of time or dissolution by the Crown.

Sir GEORGE GREY said, that the House now had power to suspend a writ during the existence of the Parliament in which the Resolution was passed, and this Bill would give legislative sanction to suspension beyond a dissolution, so long as it did not exceed five years.

Mr. LYGON thought it a most dangerous precedent to delegate to this House the power to do by Resolution that which a separate Act of Parliament only could effect. Parties might be so balanced that one vote might determine the fate of a Government ; and in case of an appeal to the constituencies it was very undesirable to deprive any constituency of the privilege of expressing an opinion upon the question on which the Crown resorted to the country for advice.

In reply to Mr. CHILDERS,

SIR GEORGE GREY said, that if the five years expired while Parliament was sitting, the writ would issue by Resolution of the House; and if the five years expired between a dissolution and the assembling of the new Parliament, by the authority of the Crown.

SIR FITZROY KELLY said, he must object to the clause. The ground on which he must resist the clause was, that although it was expedient that a Parliament should have the power of suspending a writ during its continuance, he did not understand why, for the offences of a small portion of a constituency, the House of Commons should have the power of encroaching on the prerogative of the Crown, and disfranchising, perhaps, a very meritorious portion of the constituency for a longer period than its own existence. He thought it highly inexpedient to give the House of Commons such a power to bind the whole Legislature for years to come.

MR. HUNT pointed out, that if the clause passed as it stood, the House of Commons might go on suspending the writ of a particular place, and then just at the end of the Parliament pass this Resolution; so that in effect the writ might be suspended for two Parliaments.

MR. BENTINCK said, that the right hon. Gentleman had not answered the question whether the effect of the clause would not be to enable one Session of Parliament to suspend a writ during part of a subsequent Session.

SIR GEORGE GREY said, that clearly the effect of the clause would be that the suspension might extend over a future Parliament. The writ would be suspended, not by the action of the House of Commons, but by virtue of an Act of Parliament; and the House of Commons would be bound, by the Act, just in the same manner as all the other parties were.

MR. WALPOLE said, he was in favour of the clause, and thought it would be an improvement in the law, that instead of disfranchising a borough, which was the only punishment it was at present in the power of the House to inflict, they should have the power of suspending the writ. He thought that the five years might well run over a dissolution, for the constituency would be thereby warned, that if their evil practices were continued, they would be disfranchised altogether. Still he was of opinion that the clause required guarding, as he thought the Secretary of State would see from attention to two considerations. First, this suspension might be effected simply by a Resolution of the House, and there was no guard against the Resolution being taken at a distant sitting of Parliament; and he thought that in all cases the Resolution ought to be moved within one month after the date of the Report of the Committee. Secondly, the Resolution ought to be passed in a Committee of the Whole House, and for this reason, that the House might not be taken by surprise. The Report of the Committee would then be laid on the table, and the House would have an opportunity of confirming or of rescinding it.

SIR EDWARD COLEBROOKE also thought the clause too general; for, as at present framed, the House of Commons, if it thought fit, might act on a Report several years old, even though a general election had intervened.

SIR GEORGE GREY allowed that there ought to be some limit in point of time, and said he would introduce words on the Report. As to the other point raised by the right hon. Gentleman, he scarcely thought that the practice of the House should be regulated by an Act of Parliament. It was rather a matter for the Standing Orders.

MR. HENLEY said, the many difficulties which had been raised about this clause only made it clearer that there was considerable danger in passing it. His right hon. Friend, who was in favour of it, could not harden his heart to the Resolution being passed at once, but wanted the House to have a second opportunity of considering it. It was suggested that the Resolution should be passed within a month of the presentation of the Report; but considering what thick blue-books these Reports generally made, it was hardly likely that many Members would be ready in that time to give their verdict. He saw great harm in enabling the House to do by Resolution that which had hitherto been done by the Legislature. It was a bad precedent, and might hereafter be used for drawing the whole power of Parliament into the House of Commons.

MR. PEACOCKE pointed out, that if this Resolution, which was to have force for five years, were passed at the beginning of a Parliament, and that Parliament lasted seven years, the writ would not be suspended for a whole Parliament.

Sir GEORGE GREY said, that it was not intended necessarily to carry the suspension over a whole Parliament; but there would be a period of five years during which the place would be unrepresented.

Sir JOHN SHELLEY asked by whom the writ would be issued if the five years happened to expire when the House was not sitting.

Sir GEORGE GREY said, the writ would issue in the usual manner, under the authority of the Act of Parliament.

Mr. PEACOCKE said, he scarcely thought it was the intention of the right hon. Baronet to suspend the disfranchisement of a borough over a dissolution, and during part of a future Session.

Sir GEORGE GREY said, that that was the intention, if it should be necessary. The object was that a constituency found guilty of malpractices should remain unrepresented during the full period of five years.

Mr. KNIGHTLEY asked how the culpable electors were to be punished. A man received £10 for his vote; the writ was then suspended for five years, and before that Parliament was dissolved the writ would be issued and the same elector would have another opportunity of receiving another bribe.

Sir GEORGE GREY replied, that if the House saw fit, it might suspend the issue of the writ over the five years, or until the summoning of a new Parliamennt.

Mr. J. J. POWELL said, he had heard no reason why the whole body of the electors in any borough should be disfranchised because a few were guilty of bribery, and he should therefore divide the Committee on the clause.

Question put, "That the clause stand part of the Bill."

The Committee *divided:*—Ayes 113; Noes 48: Majority 65.

Clause *agreed to;* as were also Clauses 12 and 13.

Mr. PACKE, with a view to prevent disorder at elections, proposed a new clause—(Treating), providing that every candidate who should directly or indirectly pay for any meat, drink, entertainment, or provisions for any person other than an elector, with a view to influence the election, on the nomination or the polling days, should be deemed guilty of treating and should forfeit £50; and that any person furnishing such meat, drink, or entertainment, should pay 40*s*., and, if an elector, be incapable of voting at such election.

The ATTORNEY GENERAL said, that the law as it stood afforded sufficient security against treating, and certainly thought the proposal of the hon. Member would be no improvement, but rather a change for the worse. A great portion of the proposed clause was unnecessary, as it merely re-enacted that which was provided by the present law. In fact, while the existing law was of a general character, prohibiting treating before the polling-day, on the polling-day, or after, the clause would limit the prohibition.

Clause *negatived.*

Mr. PAGET moved a clause—(Persons who are under a Recognizance, or have been served with a Subpœna, not appearing, to be guilty of Contempt of Court).

The ATTORNEY GENERAL saw no reason in this particular case for departing from the ordinary practice or for making the offence in question a contempt of court.

Mr. GATHORNE HARDY pointed out that the hon. Gentleman who moved the clause seemed to be of opinion that bribery was worse than murder, for the witness was to be subjected to a greater punishment for non-appearance.

Clause *negatived.*

Mr. PAGET moved a new clause—(Judge of a Superior Court may order Trials to be held in the Central Criminal Court, or in a neighbouring County).

The ATTORNEY GENERAL opposed the clause, on the ground that no necessity for the proposed change in the practice of the law had been shown.

Clause *negatived.*

Mr. PULLER moved a new clause to follow Clause 10—

> "Any person who shall be convicted of bribery or undue influence at an Election, or against whom judgment shall have been obtained for any penal sum by the Corrupt Practices Prevention Acts made recoverable in repect of the offences of bribery, treating, and undue influence, or either of them, shall, in addition to any other punishment or forfeiture, be incapable of being elected or sitting in Parliament during the five years next after such conviction or judgment."

Sir GEORGE GREY: I am not disposed to object to this clause, which provides a temporary disqualification only on a conviction by a court of law.

Clause *added* to the Bill.

SIR FRANCIS GOLDSMID moved a clause (Votes for Candidates Guilty of Bribery thrown away). The object of the clause was, that where a candidate petitioned and claimed the seat and proved bribery against the sitting Member, such candidate should be declared the sitting Member, if no recriminating case of bribery could be proved against him. At present, unless such candidate could strike off so many of the voters of his opponent as would place him in a majority, he would not be entitled to the seat. All he could do was to stand again; but he would present himself under the disadvantage of having proved bribery amongst the constituency, and would stand a small chance of being returned. The effect of the clause proposed would be to make bribery defeat its own end, and as a consequence to diminish it throughout the country. The only objection he saw to his proposal was that it would give the seat to the person who represented the minority. But he thought that was a mere verbal objection, for the real majority consisted of those who honestly exercised the franchise.

SIR GEORGE GREY said, that this was not the first time his hon. Friend had brought forward this proposition, nor the first time that he (Sir George Grey) had stated his objections to it. These objections remained unchanged. Votes could only properly be held to be thrown away where the disqualification of the candidate was patent and known to the electors. His hon. Friend's proposal struck directly at election by majority. Thus, if in a constituency of 3,000, the candidate elected had 2,000 votes, and the other candidate 1,000, and if the person elected was unseated for bribery through a single act committed by an agent, the candidate with the 1,000 votes would become the representative of the constituency. In such cases he thought that the electors, not having any knowledge that acts of bribery had been committed, should have an opportunity of again exercising their choice, and giving their votes for another candidate.

Clause *negatived.*

MR. HUNT moved the addition of a clause (Recovery of Cost by Member declared duly elected by unanimous Resolution of Committee), such Member to be entitled to recover from the petitioners against him his costs and expenses.

SIR GEORGE GREY said, the Committee had at present a discretionary power to declare a petition frivolous and vexatious, and the petitioners then had to pay costs. He believed that arrangement was sufficient. It would be rather hard to inflict costs where a petition had been presented in good faith. The effect of the clause would probably be to discourage petitions, and would so far foster bribery. He thought it would be better to leave the law in that respect as it stood.

MR. BRADY held that costs ought to fall on whichever party lost the case.

MR. CLAY believed the effect of the proposed provision would be to deter parties from presenting petitions, even in the most justifiable cases.

MR. E. P. BOUVERIE said, the objection to the clause was its want of mutuality. To make it complete, there ought to be also a provision that the sitting Member, if unseated, should be liable for costs. Even where there were strong grounds of suspision, a petition might fail for want of technical evidence, and in such a case the petitioners ought not to be mulcted in the expenses of both sides.

MR. SCLATER-BOOTH thought some provision of this sort was desirable.

THE CHAIRMAN pointed out that the clause was out of order at that stage.

Clause, by leave, *withdrawn.*

MR. HUNT then moved the addition of a clause (Provision for Payment of Costs of Commission of Inquiry), providing that where any Commission issued to inquire into the extensive prevalence of bribery, or treating, or other corrupt practices, in any county or borough, shall report that such practices have extensively prevailed in such county or borough, the Commission of the Treasury shall certify to the Treasurer of such county or borough the total amount of the cost of the Commission; and the Treasurer shall within two years pay the same, the amount to be levied by a borough or county rate.

SIR GEORGE GREY said, he would assent to the clause.

Clause *agreed to.*

MR. DARBY GRIFFITH moved the insertion of a clause (Unlawful Payment of Travelling Expenses to be deemed Bribery).

SIR GEORGE GREY said, that in the framing of the Bill, interference with the subject of travelling expenses was studiously avoided. The law as it at present stood worked satisfactorily. The effect of the clause would be to declare that to be bribery which was not bribery.

Clause *negatived.*

Mr. CHILDERS rose to propose a clause (Provisions for Elections for Places for which Members have been unseated). The clause contained sections A to L constituting a code of provisions applicable to such cases. The hon. Member, in support of his clauses, said that in the great majority of intances bribery at elections was committed late in the afternoon on the day of polling. That arose from the circumstance that in the afternoon the votes of the several candidates were nearly equal, and electors held back their votes in order that they might become more valuable. He proposed a very simple remedy. He did not propose it with respect to all boroughs, but only such as had been affected by bribery. He proposed that in a constituency amongst which bribery had been committed, the state of the poll at all future elections should not be made known during the day. And he proposed to effect that in this manner:—Instead of a vote being given publicly, an elector, after he had satisfied the returning officer that he was entitled to vote, would receive a paper with the names of the candidates, to which would be attached the number of the elector on the register — that paper, which would indicate for whom the elector voted, would be put into a box, which at four o'clock would be opened, and immediately after four the returning officer would publish the votes in the most formal manner.

Clause (Provisions for Elections for Places for which Members have been unseated) *brought up*, and read 1°.

Sir GEORGE GREY said, that the clauses proposed by his hon. Friend were long and important enough to form a separate measure. He would not consent to their incorporation into the present Bill.

Question put, " That the Clause be read a second time."

The Committee *divided* :—Ayes 55 ; Noes 131 : Majority 76.

House *resumed.*

Bill *reported;* as amended, to be considered on *Tuesday* next [Bill 68].

TELEGRAPHS BILL—[Bill 16.]

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Interpretation).

Mr. HENLEY asked the meaning of the words " lands continuously built upon," which occurred in two paragraphs of this clause.

Mr. MILNER GIBSON said, they were inserted to define streets — which were " lands continuously built upon."

Mr. HENLEY said, if the Committee could not understand the interpretation clause, they could not understand the clauses to which it referred. The words were very vague, and many questions would arise unless a clearer definition were given of them.

Mr. BUTT said, the words had been judicially interpreted ; that he knew of his own knowledge.

Mr. HENLEY would be glad to hear the interpretation the words had received.

Mr. BUTT referred to a case in which the city of Cork and a railway company were concerned, but he could not undertake to say what the decision was.

Mr. HENLEY asked what the right hon. Gentleman the President of the Board of Trade meant by these words ?

Mr. MILNER GIBSON said, the words were plain English. He did not see how they could better define a street. The words were most reasonable. Did the right hon. Gentleman object to them ?

Mr. HENLEY said, he did not object to them, but he wanted them to be explained, clearly and properly.

Clause *agreed to ;* as was also Clause 4.

Clause 5 (Provisions as to Notices and Consents).

Lord ALFRED CHURCHILL proposed, after the third paragraph, to add a provision to the effect that after a company had given due notice of its intention to pass along a certain road, the absence of dissent in writing on the part of the proprietors on either side of such road should, after the lapse of fourteen days, be equivalent to their consent.

Mr. MILNER GIBSON said, the proposed concession would no doubt be very beneficial to the companies, and he at first thought it was one which might properly be granted. But, on further consideration, it had been thought better that the companies should incur the trouble of obtaining the express consent of the parties interested.

Proviso *negatived.*

Clause *agreed to.*

Clause 6 (General Description of Works which a Telegraph Company may execute, subject to the restrictions of this Act).

Question, "That Paragraph 1 stand part of the Clause," put, and *agreed to.*

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. JACKSON proposed the insertion of words for the protection of water and gas pipes; he also objected to the sufficiency of the notices provided.

Whereupon Debate arising,

Question, "That the Chairman do report Progress, and ask leave to sit again," put, and *agreed to.*

House *resumed:* — Committee report Progress; to sit again on *Monday* next.

MUTINY BILL.—COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. HENLEY asked if there was any change introduced by this Bill.

SIR GEORGE LEWIS said, that in one sense there was a change, and in another sense there was no change. Instead of passing a separate Act for the European troops in India, the India clauses were incorporated in this Bill, and one or two minute differences were preserved in the incorporation that had been made. The Native troops in India were under a separate jurisdiction. There were no other changes in any of the clauses of the Mutiny Act.

Clauses 1 to 22, inclusive, *agreed to.*

Clause 23 (Power to inflict Corporal Punishment).

MR. HENNESSY moved its omission.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:*—Ayes 34; Noes 7: Majority 27.

Clause *agreed to.*

Remaining Clauses *agreed to.*

House *resumed:*—Bill *reported,* without Amendment; to be read 3° *To-morrow.*

THAMES CONSERVANCY, &c.

SELECT COMMITTEE MOVED FOR.

MR. HUTT moved for a Select Committee to inquire into the operation of the several Acts of Parliament relating to the Conservancy of the river Thames, to the buoyage, beaconage, and ballastage of that river, from Staines to Yantlet Creek, and to the regulation of vessels navigating or plying on the river within the aforesaid limits.

Motion *agreed to.*

Select Committee *appointed,*

"To inquire into the operation of the several Acts of Parliament relating to the Conservancy of the River Thames, to the Buoyage, Beaconage, and Ballastage of that River from Staines to Yantlet Creek, and to the regulation of vessels navigating or plying on the River between the aforesaid limits."

And on Thursday, April 16, Committee *nominated,* as follow:—

MR. HUTT, The LORD MAYOR of LONDON, Sir JOHN HANMER, Mr. WESTERN WOOD, Mr. JOSEPH EWART, Mr. ALDERMAN SALOMONS, Mr. LONGFIELD, Mr. LOCKE, Mr. CAVE, Mr. SOMES, Mr. RICHARD HODGSON, Mr. LINDSAY, Mr. BLACKBURN, Mr. SHAFTO, and Mr. CUBITT.

VACCINATION (IRELAND) BILL.

On Motion of *Sir Robert Peel,* Bill to further extend and make compulsory the practice of Vaccination in Ireland, *ordered* to be brought in by Sir ROBERT PEEL and Mr. LOWE.

Bill *presented,* and read 1°. [Bill 70.]

LOCAL GOVERNMENT ACT (1858) AMENDMENT BILL.

On Motion of *Sir George Grey,* Bill for amending the Local Government Act (1858), *ordered* to be brought in by Sir GEORGE GREY and Mr. BRUCE.

Bill *presented,* and read 1°. [Bill 69.]

JUDGMENTS LAW AMENDMENT (IRELAND) BILL.

On Motion of *Mr. Whiteside,* Bill to further amend the Law concerning Judgments and Recognizances in Ireland, *ordered* to be brought in by Mr. WHITESIDE and Mr. GEORGE.

Bill *presented,* and read 1°. [Bill 71.]

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, March 20, 1863.

HARES (IRELAND) BILL.

Bill brought from Commons; read 1ª; and to be *printed.* (No. 52.)

CONSOLIDATED FUND (£10,000,000) BILL.

Bill read 2ª (according to Order), and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at a quarter past Five o'clock, to Monday next, half past Ten o'clock.

HOUSE OF COMMONS,

Friday, March 20, 1863.

MINUTES.]—REPORT—of Selection, *Third Report* [No. 47.]

SUPPLY—ARMY ESTIMATES—*considered* in Committee.

PUBLIC BILLS—*First Reading*—Roman Catholic Marriages Registration (Ireland) [Bill 73]; Office of Secretary at War Abolition [Bill 72]; Oaths Relief in Criminal Proceedings (Scotland) [Bill 74].

Committee—Marine Mutiny.

Third Reading — Trustees (Scotland) Act Amendment [Bill 59]; and *passed.*

CASE OF MARY BROPHY.

QUESTION.

MR. VANCE said, he rose to ask the President of the Poor Law Board a Question in regard to the removal of a pauper named Mary Brophy from the Marylebone Workhouse to the South Dublin Union. That pauper had stated to the authorities in Dublin that she entered the Marylebone workhouse five weeks previously in consequence of the illness of her child. About eight days ago she asked for her discharge, when the master said he would not grant it without her being passed to Ireland. She refused, and subsequently, when she was forced to leave the workhouse, a struggle took place between her and the officials who were forcing her off, in which her face was blackened, her shoulder put out of joint, and a strait waistcoat put upon her. She said she had been twenty-six years in London, and had two children in the Marylebone schools. Under these circumstances, he wished to ask, Whether, in the opinion of the President of the Poor Law Board, this was not clearly a cruel and illegal removal?

MR. C. P. VILLIERS said, in reply, that no communication had been made by the Irish Poor Law Commissioners to the Poor Law Board on the subject. The hon. Member had not given him full notice of the terms of his Question, and therefore he must defer answering it until he had had an opportunity of learning the facts.

MR. VANCE said, he would repeat the Question on Monday.

COLONEL DUNNE said, he wished to ask the Chief Secretary for Ireland whether the pauper had not been removed back from Ireland and received into the Marylebone workhouse, and whether that was not an acknowledgment of the illegality of the previous removal?

SIR ROBERT PEEL said, he had heard of the case, and he believed the facts were as the hon. Member had stated.

STATE OF THE COTTON TRADE.

QUESTION.

MR. FERRAND said, he would beg to ask the First Lord of the Treasury, Whether he will give a Government night immediately after Easter, to bring under the notice of the House the present state of the Cotton Trade, and of half a million of Cotton Operatives living in unwilling idleness. As the case was one of extreme urgency, he hoped to have a favourable reply.

VISCOUNT PALMERSTON: Sir, I can assure the hon. Member and the House that the subject to which his Question relates is one that must necessarily excite great anxiety in the mind of the Government, and we shall be anxious and desirous to give the House any opportunity that might be required for full consideration of the subject in any point of view. I believe that after Easter the two early Tuesdays are very much engaged; otherwise I should have said to the hon. Member that he would probably have found room on a Tuesday. But if he is anxious to bring the subject on earlier than he could by waiting for a Tuesday, I can assure him that, subject of course to due attention to pressing public business, we are willing to give him every facility that can be given to him for the consideration of the question.

PORTSMOUTH DOCKYARD.

QUESTION.

MR. LAIRD said, he wished to ask the Secretary to the Admiralty, Whether he will have any objection to lay upon the table of the House any Plans, Reports, and Estimates which may have been laid before the Admiralty in reference to the proposed extension of Portsmouth Dockyard?

LORD CLARENCE PAGET replied, that together with any future Estimates which might be presented to the House for the extension of Portsmouth Dockyard, he trusted to be able to lay on the table plans connected with that work.

THE TRIALS AT SHOEBURYNESS.

QUESTION.

SIR JOHN PAKINGTON said, he wished to ask the Secretary to the Admiralty, Whether it is true that in the trials at Shoeburyness on Tuesday last, $5\frac{1}{2}$-inch iron plates were penetrated by Shells, and the wooden backing set on fire; and, if so, whether the Admiralty still intend to build of wood the five new Ships, to be plated with iron?

LORD CLARENCE PAGET said, in reply, that on Tuesday last some very important experiments took place, not only with the Armstrong shells but likewise with the Whitworth shells; and, undoubtedly, he might state that those shells pierced plates $5\frac{1}{2}$ inches thick. It was, however, quite impossible to state the extent of the effect produced by the shells until the target was taken to pieces. He mentioned this circumstance, because last year, when experiments took place, the House was exceedingly anxious to learn the results; and being asked a question upon the following day, he made a statement on the subject, and afterwards he had occasion very much to modify his expressed opinion. Therefore, he wanted a complete examination of the target, in order to be able to give, if the House should desire it, a more accurate account than he could at present of the extent of the effect produced by the shells.

SIR JOHN PAKINGTON said, that the noble Lord had not answered a part of the Question put to him—namely, whether, as the wooden backing was set on fire and blazed up, that circumstance had any effect upon the intention of the Admiralty to build five new ships of wood?

LORD CLARENCE PAGET said, he must beg pardon for omitting to answer that part of the Question; but he could state, that the Admiralty had not, in consequence of these experiments on Tuesday last, as at present advised, found it necessary or expedient to alter the opinions previously expressed by him as to the desirability of preparing some wooden frames of armour-plated ships in the course of the year.

POLAND—CASE OF M. ABICHT.

QUESTION.

MR. HENNESSY said, he would beg to ask the First Lord of the Treasury whether the Russian Government recently applied to Her Majesty's Government for information respecting a Polish Refugee named Abicht; whether Her Majesty's Government complied with that application, and afforded information to the Russian Government; and whether this Polish Refugee is the individual referred to in a Letter of Earl Russell, dated Foreign Office, February 14, 1863, as "a person lately arrested in Poland as a political agent"?

VISCOUNT PALMERSTON: No application of any kind, Sir, has been addressed to Her Majesty's Government by the Government of Russia upon the subject of of this man Abicht; and, of course, no answer or communication of any kind has been made by Her Majesty's Government to the Government of Russia on the subject. The history of this person was this:—In a despatch of the 11th January, from the Acting Consul at Warsaw, Her Majesty's Government were informed that a certain number of persons had been arrested, and that among them was a man of the name of Abicht, who, it was supposed, had been engaged in treasonable enterprises. On the 14th the Acting Consul wrote to us that Abicht was found to have been travelling with a British Foreign Office Passport, under the name of Brett, and that that Passport had been *viséd* and signed by different authorities on the way to Warsaw. Thereupon an inquiry was made at the Foreign Office, and it was found that a Passport had been issued to a person named Brett. Examination was made, and it was found that in July, 1861, an application was made by a Mr. Leverson, residing in St. Helen's in London, for a party of the name of Brett, whom he described as his confidential clerk, whom he wanted to send on business of his to the Continent, and that he was to go in company with another confidential clerk whose name I do not remember. Well, Mr. Leverson was asked by the letter to which the hon. Member refers, written by Lord Russell, how it happened that the Foreign Office Passport granted at his recommendation to his confidential clerk, Brett, should have fallen into other hands —had, in fact, got into the hands of the man Abicht, of whom the Foreign Office knew nothing whatever. Mr. Leverson replied from Paris that he thought the inquiry had better be addressed to Mr. Brett. Accordingly a letter was written to Mr. Brett, asking to know how his Passport got into other hands. But up to this time

Brett had not answered. He had a defective memory, no doubt; and not having duly posted up in his mind that the letter required an answer, he omitted to make any reply to that communication.

BRITISH MUSEUM ESTIMATES.

QUESTION.

Lord HENRY LENNOX said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he has made any arrangements for having the British Museum Estimates moved in the House by a Minister of the Crown?

The CHANCELLOR of the EXCHEQUER said, in reply, that the arrangement by which the British Museum Estimates were introduced and moved by a distinguished Member of the House—who was also a member of the governing body of the Museum—had not been considered by the Government with a view to change. It appeared to be an appropriate incident of the system, and had hitherto worked very well. It was not the intention of the Government to propose any change at present, but he was not prepared to say, that if the whole question of the government of the Museum were reconsidered, some such change might not be proposed.

THE WHITWORTH SHELL.—QUESTION.

Mr. DALGLISH said, he wished to ask the Secretary to the Admiralty, Whether the authorities at the Admiralty intend to try the effect of Whitworth's shells on a target representing the side of the *Royal Oak*, or of one of the wooden ships which it is proposed to build; and also whether facilities will be afforded to hon. Members to witness those experiments?

Lord CLARENCE PAGET said, in reply, that undoubtedly it was the intention of the Government to carry out a series of experiments, with a view to test the merits of these shells, and likewise with respect to the wooden backing of the various classes of ships. He was not prepared at that moment to state what the particular course of the experiments would be; but he could only say that the Government intended to carry on the experiments that had been proceeding from day to day. With respect to the latter part of the hon Gentleman's Question, he could only say, that when any Member of that House would do them the honour to be present on those occasions, he should be glad to furnish a card, and he was sure that the War Office would be glad to afford a similar facility.

ENGLISH POLICE IN POLAND.

QUESTION.

Mr. HENNESSY said, he would beg to ask the Secretary of State for the Home Department, For the name of the Agent referred to in the following paragraph of the Russian Ambassador's Letter applying for the services of the English Police in Poland:—

> "The first step to be taken should be to allow Sir Richard Mayne to put himself into communication with a gentleman to whose care the Grand Duke has directly and privately intrusted this object."

And whether any money has been paid by the Russian Government to the English Police since the return of the latter from Warsaw?

Sir GEORGE GREY: Sir, I can only give the same answer that I gave the other night. The name of the person was never communicated to me; and not knowing his name, I cannot inform the hon. Member what it was. With regard to the other Question, the general rule is, that when applications are made by parties for police, if the application is complied with by the Commissioner, it is always on the condition of the expenses being paid by the parties making the application. The police are frequently allowed to receive gratuities in excess of their expenses. In this case the whole of the expenses were paid by the Russian Government, and I have no doubt that a gratuity was also paid by the Russian Government to the two officers. The Russian Government, however, did not benefit by anything paid out of the police rates of this country.

Mr. HENNESSY: The officers got their pay when they were away, of course?

Sir GEORGE GREY: I cannot say, but I rather think not.

THE NEW HOUSES OF PARLIAMENT—THE FRESCOES.—QUESTION.

Mr. CAVENDISH BENTINCK said, he wished to ask the First Commissioner of Works, Whether the Commission appointed to investigate the causes of the decay of the Frescoes in the Houses of Parliament have made a Report; and whether, if so, it will be presented before the close of the Session?

Mr. COWPER, in reply, said, the Fine Arts Commission were last year induced to inquire into the decay and unaccountable deterioration in the Frescoes in the Houses of Parliament, and more particularly those in the upper waiting hall. The Fine Arts Commission committed the inquiry to eminent connoisseurs, who united a practical acquaintance with fresco painting with a general knowledge of art. On this Committee were Sir Coutts Lindsay, Mr. Ruskin, Mr. L'Estrange, and Mr. Gambier Parry; and as chemical causes might have occasioned the decay, Mr. Hoffman was associated with them. Those gentlemen examined very minutely and elaborately into the state of the wall paintings in the building, and questioned the artists who painted them. Many causes for the decay were suggested to them—such as the influence of the gas on the paintings, the adulteration of the pigments, and the possibility of the artist having painted on the lime after it was dryer than it ought to have been. But the Committee were unable to arrive at any satisfactory conclusion. The Commision had brought their labours to an end, and had made their final Report, which would shortly be submitted to the House, and therefore they would not be able to assist further in the solution of the difficult problem. He might say, however, that the money voted for fresco paintings would not, in future, be spent upon the same method of painting as that in which the decay had hitherto unhappily occurred. It would be employed in painting according to the water glass method, which was more impervious to atmospheric influences.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MARRIAGE LAW (IRELAND).

OBSERVATIONS.

Mr. DAWSON said, he rose to bring before the notice of the Chief Secretary for Ireland the present position of the General Marriage Law of Ireland, and to suggest that, under the authority of the Government, a revision of such Law shall be undertaken. He believed that the efforts of private Members to deal with this question would not be attended with any satisfactory result, inasmuch as these propositions were entirely incomplete and insufficient, and nothing but the adoption of a bold and direct system would satisfy the public expectation. He trusted that the Government would undertake vision of the marriage law in all its forms, and would introduce into Ireland a system of registration which would involve a change in the law. There were five distinct laws of marriage celebration in force in Ireland, and most vexatious restrictions were imposed. In the north of Ireland, and he believed in all parts of Ireland generally, the Act of 1844 was regarded with disfavour, and its repeal, or its very extensive modification, would give wide-spread satisfaction. Its forms were cumbrous, partial, and unjust. He was strongly of opinion that there should be for Ireland one simple general law of marriage which, repealing all disabilities, should confer equal privileges upon all religions, should carry with it equal rights and responsibilities, and should embrace a system of marriage registration under which the interests of the whole community might be advantageously placed. The present marriage law imposed vexatious restrictions upon the clergy of all denominations. The clergy of the Established Church, who by their learning and religious activity had gained a high position in Ireland, were not allowed full discretion. A Presbyterian minister was privileged to officiate in a mixed marriage where a member of his own congregation was concerned, but only after the proclamation by banns and the production of a licence. Roman Catholic clergymen could not officiate in mixed marriages, and experience daily proved that that exclusion was both unjust and ungenerous. He could not believe that the clergy of the Roman Catholic Church would object to the adoption of a uniform marriage law. Another class of marriages were those at which the attendance of the Registrar was enforced—namely, those of the Nonconformists, who were the chief sufferers under the present Act. He asked on what principle of reason or justice were Wesleyan, Baptist, or Independent ministers precluded from the right to celebrate marriages in the same manner as the Episcopalians or the Catholics? In his opinion there were many forcible reasons why there should be a complete uniformity in the marriage law throughout England, Ireland, and Scotland, and why the highest legal officer of the Crown should direct his attention to the subject. If, however, the amendment of the marriage law were confined to Ireland, he asked that all religious denominations should possess the power of celebrating marriages according to their forms, conscientiously prepared, and that there should be a system of lay agency, similar to that so successfully established in Scotland in 1854. In a season of prosperity there was an increase, and in seasons of adversity a diminution in the number of marriages. This was completely illustrated in the records of marriages in Lancashire during the last two or three years. Marriage statistics, it was admitted, formed an admirable social barometer, and it was one that he should be glad to see applied to Ireland. He appealed to Her Majesty's Government to direct their attention to the subject, with the view of removing an unjust and intolerable grievance.

CEYLON.—OBSERVATIONS.

Mr. LYALL said, he wished to call attention to the Military Expenditure for Ceylon; and to ask the Under Secretary of State for the Colonies, what steps have been taken in order to reduce the annual Charge of £100,000 on the Imperial Exchequer for the Troops in that Island. In bringing this question under the consideration of the House and the Government, he would recall to their recollection what occurred last year. He then adverted to the military expenditure of Ceylon, and connected it with a recommendation to annex that Island (so Indian in its character) to India; and the right hon. Gentleman the Under Secretary for the Colonies, in his reply, opposed that suggestion, but, at the same time, admitted that he thought the expenditure was capable of reduction. Now, as he saw no alteration in the Army Estimates he was induced to ask the Question that he had put on the paper. The House had never, he believed, laid down any regular principle on which it would defray the expenses of our military forces in the Colonies, though he should judge from past, and indeed, from very recent debates, that when a dependency was rich, flourishing, and with an overflowing exchequer, without hostile tribes within its frontiers, and no fear of foreign aggression, there would be a general expectation that it should discharge all its own civil and military police expenditure. India had never cost this country one shilling from the day of its conquest, but, on the contrary, had been a source of great wealth to England. Java sent an annual tribute of £3,000,000 of produce to Holland after paying all its expenses; but Ceylon, richer than India, and nearly as prosperous as Java, costs this country £110,000 per annum; and if we deducted £10,000 for Imperial naval charges at Trincomalee, a clear £100,000 was paid by this country for its Colonial Government. Now, this charge, so unjust to the British taxpayer, might not have been so when this arrangement was originally made. It was fixed many years ago, when the circumstances of the island were totally different. Ceylon had then a debt, a deficient revenue, and the pacification of the hill tribes of the Candian district was not complete. Now, however, the revenue of the island, which as late as 1854 was only £408,000, had since risen gradually at the rate of £50,000 per annum, and by the last accounts exceeded £757,000. Ceylon had no debt, and good roads had been made through the mountains of Candy, and that district was as peaceful as any portion of the island. The circumstances, therefore, were entirely changed, a much smaller military force would now be required, and whatever was necessary for a military police establishment ought, in such a prosperous colony, to be defrayed out of its own exchequer. Any one who considered the geographical position of Ceylon could have no fear of foreign invasion, as Ceylon possessed an iron-bound coast, and was within two or three days of Madras, where it could procure any amount of troops. There was also an Imperial naval station at Trincomalee, so that in no part of the world was the military and naval supremacy of England more complete.

Mr. CHICHESTER FORTESCUE said, that in answer to the hon. Gentleman he had little to add to what he stated the other night in a discussion on the Army Estimates. The proposal made last year to annex Ceylon to India had caused no little apprehension in the colony, and an address had lately been received from the Legislative Council entreating Her Majesty not to consent to any such annexation, on the ground that the island was well governed and possessed institutions which were satisfactory to the people. In the opinion of Her Majesty's Government the inhabitants of Ceylon were right in wishing to remain as they are. Her Majesty's

Government had, however, taken occasion to represent to the colonists, that if they so highly valued their direct connection with the mother country, they ought to be prepared to make some greater pecuniary sacrifices for the sake of their connection with the mother country, especially as there could be no doubt that the troops in Ceylon were maintained there mainly for purposes of internal order. The total expense of those troops was £200,000, and out of that sum Ceylon contributed more than one-half—namely, £105,000. The whole subject of the Ceylon finance and military establishments had lately undergone a careful examination by a very able member of the Colonial Office. Through the liberality of Parliament, Ceylon had been enabled to develop its prosperity, and the time had now come when it might make a considerably increased contribution towards its military expenditure. There would be no delay on the part of the Home Government in communicating these views to the colonial authorities.

THE GALWAY CONTRACT.

RESOLUTIONS.

MR. BAXTER said, that he rose to move the two Resolutions of which he had given notice on this subject—

> "1. That, in the opinion of this House, in cases where ordinary traffic supports several lines of Steamers, the present system of granting Subsidies for carrying the Trans-oceanic Mails ought to be dispensed with."
>
> "2. That this House is not prepared to grant a sum of Money to the Atlantic Royal Mail Company for conveying the Mails between Galway and North America."

The hon. Gentleman said, he thought that the time had arrived when it became the duty of the House to take a stand against the extravagance of successive Governments in granting large sums to Steam Packet Companies for the carrying of mails. Being a merchant himself, and keeping up a correspondence with all Foreign countries, he had a deep interest in seeing that the communication with Foreign ports should be as speedy and as regular as possible, and his sympathies might naturally be expected to be on the side of Government subsidies. But as a representative of the public it was his duty to see that those large grants of money were well bestowed, and that value was received for them. It would not be difficult to show that subsidies, in the cases referred to in his first Resolution, injured both the commerce of this country and the public in general. On this subject he was no theorist, and he was not opposed to subsidies under all circumstances. On the contrary, he freely admitted that most of our great Ocean Companies could not have been established, and some of them even now could not be carried on without help from the national exchequer; his position was simply this, that they had carried this assistance too far, and that the system might be dispensed with on oceans where there was effective competition. The subsidy had been permitted to increase, whereas it might have been gradually reduced, not only without detriment or injury, but with positive advantage to the trade of this country. He found that in 1856-7 the Packet Service Vote amounted to £743,000, and in 1859-60 it had risen to £977,000, being an increase of £234,000. In the following year it had exceeded one million sterling. In 1860 Mr. Frederick Hill told the Packet Service Committee that £450,000, of that sum of one million sterling, was a dead loss to the revenue of the country, and that £79,000 of that loss arose from the Cunard service alone. There was not a Member in that House who must not acknowledge the admirable manner in which the Cunard service had been conducted, and he was free to acknowledge at once that in times past that company deserved all they obtained. But what he wished to call the attention of the House of Commons and Her Majesty's Government to was the state of things on the North Atlantic Ocean, which had been entirely changed, and that they might now, with advantage to the trade of the country, dispense with those subsidies altogether. In 1861 there were no fewer than fifty large steamers employed on the North Atlantic Ocean, making 226 outward voyages, and the same number of homeward voyages, in the course of the year. One company, the Liverpool, New York, and Philadelphia Company, which was totally unaided by Government, at present possessed a fleet of large ocean steamers, comprising 22,000 tons, being an increase of 7,000 tons since the manager of that company gave evidence before the Packet Service Committee in 1860. In 1862 that one company carried 29,000 passengers across the Atlantic, being one-third of the whole number conveyed by steam across that ocean; and he found this very remarkable circumstance, that their passages had been as regular and as speedy as the passages of the Cunard line. In 1861 the average passages made by the ships of this unsubsidized company were shorter than those made by the vessels of the subsidized Cunard Company. In 1862 they were longer, but during the last three months—namely, December, January, and February—the unsubsidized boats had anticipated the arrival of the Cunard boats at New York by an average of five hours. By three successive mails he had received his letters from the United States by the unsubsidized vessel that left on Saturday, only one day after the subsidized vessel that left on the previous Wednesday; and on a fourth occasion he received his letters by the vessel which left on Saturday on the same day as that on which the mail arrived which left on the Wednesday previously. There were also at Southampton two lines of steamers performing their voyages as regularly, and very nearly as speedily, as the subsidized steamers. Sir Samuel Cunard's firm had repeatedly told the Government that unless they obtained a large subsidy they could not afford to build a sufficient number of new vessels to carry on the service. But what was the fact? He found, that while the Cunard Company had put four new vessels on the station within the last seven years, the three unsubsidized companies had put respectively, eight, seven, and five vessels on the station; so much, therefore, for that reason for a large subsidy. They had, on the North Atlantic Ocean, to which his first Resolution applied, precisely that state of things which the Committee (appointed by the Treasury in 1853, and presided over by Lord Canning) recommended should be abolished. That Committee reported in effect that in cases where passengers and commerce were available and an effective competition existed, that it was not necessary for the Government to subsidize the packets for the conveyance of the mails. In 1860 the Chancellor of the Exchequer appointed a Committee to investigate the subject, and it stated—

> "Your Committee cannot conclude their Report without recording their conviction that it is quite practicable to dispense with large subsidies in cases where ordinary traffic supports several lines of steamers, and that in the circumstances which have for some years existed with regard to the communication between this Country and North America no such subsidies are required to secure a regular, a speedy, and efficient postal service."

Notwithstanding those recommendations, and in the face of the competition which he had shown to exist, what was being done? The Government continued to pay £170,000 a year to the Cunard Company, and they proposed to pay £78,000 a year to a new Company. Now, he believed that arrangements might be made for carrying the mails across the North Atlantic Ocean without giving another subsidy, the effect of which would be to perpetuate that system of subsidizing which ought to have been got rid of long ago; and he maintained, that so far from being an advantage, it was a barrier in the way of obtaining a more constant and more speedy communication with America. If the House would adopt his Resolution, they would strengthen the hands of the Government in getting rid, at the proper time, of a system which prevented the development of private enterprise by giving an undue advantage to one of two competing Companies. Instead of the Government thus paying a large sum of money, let them advertise that every steamer of a certain tonnage, which passed the Admiralty examination, which sailed from and arrived at an Irish port by a certain day, should be a mail steamer, and be paid at the lowest rate that any company would offer to convey them for according to the number of letters conveyed, and he was satisfied that in three or four months, or say six months, they would have obtained a communication between Ireland and North America, and would find the Companies rivalling each other in producing the best vessels. There was no reason why the well-known maxim of "A fair field and no favour" should not apply in this as in other cases. If the House would pass his first Resolution, it would strengthen the hands of any Government disposed to economize expenditure, and interpose a barrier in the way of any Government who might be careless or reckless of the public resources. In a financial point of view his second Resolution would be of secondary importance, although there were circumstances connected with the matter which might render it the more interesting of the two to the House of Commons. It would be impossible, on the present occasion, to arrive at the merits of the case without glancing, at all events, at the history of what he would designate as nothing else than a bubble company and a political job. He was opposed to this Galway contract on the broad and general ground he had already stated, that there was no occasion on the North Atlantic Ocean for any subsidy at all, and that every shilling spent in that direction was money thrown away. But he opposed it also on account of the origin of the grant, and of the position of the Company now demanding it. He would be sorry to say a word to hurt the feelings of any gentleman, or which might be considered uncalled for; at the same time, it would be quite impossible, and it would also be improper and unjust to the cause he advocated, were he to withhold, from mere motives of delicacy, any portion of the facts necessary to establish his case. Any Gentleman who read the evidence given before the Packet Service Committee of 1860 would find that it was not denied that this contract was originally granted by Lord Derby's Government at a time when it was mportant for them to strengthen their somewhat precarious position, and render themselves popular in Ireland. Did they know that Lord Colchester, who was Postmaster General in Lord Derby's Government, was opposed to the grant? Did they know that Mr. Stevenson, of the Treasury, strongly objected to it? Did they know that the hon. Member for Stamford (Sir Stafford Northcote), who was then Secretary to the Treasury, and was naturally disposed to look favourably upon the question, but whose judgment it might have been inconvenient to put forward, had little or nothing to do with it? Let any man read the straightforward evidence of the late Lord Eglinton and Lord Derby, and he would see that the grant was made in total ignorance of the state of things existing with regard to Galway; ignorance of the active competition that was going on; ignorance of this, that the interest of Ireland would have been much more effectually provided for than it could have been by this Company, and that without raising and encouraging a delusion, and the throwing away of the public money. There was no Gentleman who had served on that Committee who would not do him the justice to remember that from the beginning he was just as much opposed to the renewal of the Cunard contract as he was in giving it to the Galway Company; and he contended that it was the duty of the Government to insist that Ireland should be the point of arrival and departure, that the American mails should be landed on the first point of British soil; but it was as improper as unnecessary to limit the choice of the port to Galway, and to a particular company sailing from that port. He had been told that Galway was 100 miles nearer America than Valentia. But it was only forty miles nearer; and if we extended the telegraphic communication to Crookhaven, we should get a nearer point than Galway itself. Besides all this, he had heard it stated that it was difficult and dangerous for vessels to make for the port at certain seasons. The *Irish Times* of the 24th of March, 1862, concluded an able article on this subject with two sentences, which he asked the permission of the House to read—

> "On the other hand, little has been done to render Galway what it should be in order to become the great centre of traffic between Ireland and America. The Board of Trade has refused the sum required for the establishment of piers and docks, and there is no hope that the money can be procured from any source."

So that there appeared to be not only a difficulty to get into the harbour, but a further difficulty when in. The merchants of Belfast were in much alarm at some recent rumours lest the American ships should merely call at Galway; and he found that they had memorialized the Treasury in March last, stating that the people of Belfast were indignant at the proposed change, and would have no other place than Galway. And why? Because the merchants of Belfast found that the subsidy enabled them to ship their goods at £2 per ton when they would have to pay £3 elsewhere. Would any Gentleman say that this subsidy was to be kept up in order to increase the profits of the merchants of Belfast? The subsidy was given for carrying the mails; and he never yet heard any one contend that the nation ought to make a grant of money to enable the merchants of Belfast to ship their goods upon cheaper terms. But the merchants of Belfast were beginning to find out the trick which had been played upon them, and he was sure the House would be amused at one of the sentences of that memorial to the Treasury—

> "The subsidy would, if means were not taken to prevent it, be made a private job to benefit a few individuals, and not for the great commercial benefit of Ireland."

It was remarkable that these gentlemen should have been so long in finding out that this was a private job; for it was a job at the beginning, it had been a job all along, and it was a job still. And as to the commercial benefit of Ireland, the thing was positively ridiculous. He had heard the merchants of England make merry at the speeches of the noblemen and gentlemen who assembled in Dublin on the subject of this grant to Galway; and to judge from the tone of their speeches, one would suppose that the subsidy was to make Ireland "great, glorious, and free." And why did the English merchants make merry? Because they knew that neither £78,000 a year, nor double £78,000 a year, would make the undertaking pay. He maintained they could not; and if they could, they had no right, out of the public money, unnaturally to stimulate the trade of any particular port. The Postmaster General had stated, that every letter sent by the Galway Company cost this country 6*s.* He therefore put an end to the contract. This raised a clamour in Ireland; and then the present Government yielded, and renewed the contract. He would endeavour to establish two points—First, that the yielding on the part of the Government had been owing to inaccurate and improper representations; and secondly, that Her Majesty's Government had not shown proper wisdom and precaution in the matter. He had taken the trouble to look over the papers. The Chairman of the Packet Committee of 1860, the hon. Member for Greenwich (Mr. Angerstein), writing of them, said—

> "The Galway packet papers make a most melancholy exhibition; and it is difficult to say whether that of the Government or that of the Company is the most pitiful."

The Chairman went on to say that even worse still was the spectacle of the poor Irish contributors for ordinary shares, who had been swamped, and who were seeking to get their subsidy through the weakness of Her Majesty's Government. The other day he received a letter from a poor man in Ireland (who had been induced to invest £80 of the hard earnings of some years in this undertaking, and who naturally expected that he might get some of it back again) remonstrating with him on his cruelty in opposing a renewal of the subsidy. He felt the deepest sympathy for this poor man and the many hundred other persons in Ireland who had likewise been induced to throw away their money; but he maintained that it was the part of true friendship not to hold out false hopes, but to tell them frankly that the money was finally and irrecoverably gone. Lord Clanricarde the other day, at a meeting of this Company, used these words, "Undoubtedly, the original shareholders appeared to be in a very disadvantageous position." That was a very mild expression—"disadvantageous"—a word, he supposed, suited to the atmosphere of another place. But what was their position? What was their disadvantageous position? In order to answer this question let them go to the balance-sheet of the Atlantic Mail Company. There he found the following items:—

> "To deposit and calls paid upon the original shares, £377,271 8*s.* 9*d.*; less amount written off in conformity with the resolutions of general meetings, for expenditure and losses up to the 31st of December, 1861, £388,109 14*s.* 6*d.*"

So that at that date, £11,000 more than the original capital was all lost. Alderman Reynolds, of Dublin, who was once a Member of this House, used this expression at the same meeting—

> "Somebody said to me in Dublin the other day, 'Alderman Reynolds, you ought not to consent to this issue of £600,000 preference stock, because, if you do, the original shareholders will not get anything.' 'Why,' I replied, 'the present capital is gone, and it is the only chance we have of getting anything.' This seemed to take him by surprise; but he made no other objection to raising the preference stock. The whole of our money has gone by mismanagement, and I would tread lightly on the ashes of the dead."

He would also tread lightly on the ashes of the dead; but there were some things which would not die. Seeing, then, that this Phœnix Company was still in existence, it became his duty to show its present position to the House. They had raised £400,000 by means of preferential shares; and according to the correspondence on the table, page 12, those shares were to have priority, in all respects, over the original capital, to be entitled to 7 per cent dividend, and participate with the original shares in any dividend there might be after the payment of that 7 per cent. Was there any man in existence so foolish as to imagine there was the slightest chance of the original shareholders getting back a single farthing? At this point he would, with deep regret, part with the 1,877 shareholders, many of whom were poor people, and all of them, he believed, anxious to advance the interests of their country. Then came the preference shareholders, of whom there were only 23. Of these 23 preference shareholders how many did the House suppose lived in Ireland? Only one. He recollected him well, for he gave his evidence before the Packet Committee in the most patriotic manner. That gentleman was Mr. Denis Kirwan, of Castle Hackett, in the county of Galway, who was a subscriber for 500 preferential shares out of the £400,000. And who were the others? They were all friends, retainers, and adherents of a well-known banking firm in Lombard Street. The only effect of the policy of Her Majesty's Government, if ratified by the House, would be to enable those persons to sell their preferential shares without incurring a total loss. Well, then, what possible good could such a Company do for Ireland? Apart from the shareholders, neither financially nor in point of ships had this Company ability to carry on the trade. In the admirable Report drawn up by Mr. Scudamore, of the Admiralty, and Mr. Stevenson, of the Treasury, there appeared these words—

> "It does not appear, from the accounts and information rendered by this Company, that it possesses any funds from which those claims, amounting to upwards of £160,000, can be met. From the foregoing extract it appears that the real commercial value of the Company's fleet, upon the security of which the sum of £246,000 has been borrowed, is considered by the Admiralty to be £407,000, instead of £608,000, the value set upon it by the Company."

Then, as to the ships. The *Hibernia* and the *Columbia* were two years ago condemned as being somewhat unseaworthy. He was perfectly aware that they had since been strengthened in the yard of the hon. Member for Birkenhead (Mr. Laird); but he was prepared to state to the House, after a careful consideration of these papers and many communications from gentlemen who were thoroughly acquainted with these steam ships, that these patched-up vessels and the *Adriatic* were utterly unable to render the service required of them in the manner in which the late Government wished it. For although he blamed the late Government for entering into this contract, the contract was strictly worded that the vessels should go from Galway to St. John's in six days. The two gentlemen appointed by the Government had declared that six vessels were necessary to carry out the contract. At present the Company had only one vessel capable of fulfilling the conditions of the contract. [Mr. BAGWELL: What is the date of that?] This was the Report of October last, of Mr. Scudamore and Mr. Stevenson. In August, 1862, the Controller of the Navy, after inspecting the *Hibernia* at Liverpool, sent in a report in which he said he considered it doubtful whether that vessel would be able to do more than keep her time with favourable weather, especially when she had on board her ballast and sea stores. A friend of his, having noticed a statement respecting the speed of the *Hibernia* with 800 tons of coal on board, wrote to him saying that the *Connaught* burnt 120 tons a day, and that, at that rate of consumption, the *Hibernia* ought to carry 1,300 tons of coal on starting for her winter voyage; for steamers half the size and half the horse-power, sailing from Liverpool, carried 1,000 tons. The Government seemed to have been hoping against hope that something would turn up to justify them in acceding to the wishes of certain parties in Ireland, and on receiving the letter of the Company, of the 26th of January last, they promised the restoration of the subsidy. The Company stated that their fleet was wholly unincumbered, and not subject to any liability which could in any manner affect the service, for which they had ample working capital. He was much surprised by that statement, but equally surprised by the Government replying, that they regarded the letter of the Company as conveying compliance with the demands of the Government with respect to the independent possession of the ships of the Company. He was not so satisfied as the Government, and he obtained copies of the registers of the ships, which showed, that although on the 17th of February the *Hibernia* and the *Adriatic* were free, there were still mortgages on the registers of the other two vessels, dated March 1861. He had said it was quite impossible that a subsidy of £78,000 could make the Company pay if their vessels sailed from Galway; and they had found that out themselves. Mr. Inman, the agent of one of the Liverpool Companies, said he had reason to know that a desire existed not to confine the Galway steamers to the port of Galway, which restriction was made the ground of application for the subsidy, but to obtain power to make Liverpool or some other English port in reality the port of departure, in which case the subsidy would be equal to £3,000 a voyage to enable a new company, consisting of a small number of preference shareholders, to undersell and take from the Philadelphia Company a trade hardly earned by thirteen years of anxious toil without any Government assistance whatever. This was the statement of Mr. Inman; but he had read in seven newspapers the following announcement:—

> "It is intended that the subsidized Galway packets shall start from Southampton in order to

> secure a portion of the vast and lucrative continental traffic with America. The steamers will depart from Southampton in time to leave Galway at the contract time."

So the vessels were to start from Southampton and make a pleasant voyage round Ireland, and were to go by way of Newfoundland to New York. Not only had the Government agreed to renew the subsidy, but they had voluntarily intimated their willingness to modify the terms of the contract made by the late Government, and to reconsider the ports of arrival and departure. All this, they were told, was owing to a vague declaration made eighteen months ago by the noble Lord at the head of the Government, which declaration was founded on a sentence of the Report of the Committee of 1861, presided over by the hon. Member for Galway (Mr. Gregory). That sentence was—

> " Your Committee are of opinion, that should it be deemed advisable to re-establish postal communication between the west coast of Ireland and America, the Atlantic Steam-packet Company are deserving of the favourable consideration of Her Majesty's Government."

This was no promise for the restoration; and if it were, was the Atlantic Company, because backed by a few Irish representatives, the only Company with which the Government and the House of Commons were bound to keep faith? Had the House forgotten that four years ago the Treasury pledged itself to parties in Liverpool that there should be no further contract for the conveyance of mails to America that should not be open to public competition, and that on the 30th of May, 1861, the noble Lord made exactly the same statement? What could be the reason that the Government, in the face of the Report of Messrs. Scudamore and Stevenson, had renewed the contract? Did any man doubt that it was to secure the support of the Irish Members? Some weeks ago the hon. Member for Portsmouth (Sir James Elphinstone) said, that the great Liberal party had been making political capital out of the Galway contract for three years, and now the present Government had done the very same thing that was done by their predecessors, and had done it for the same reason. That statement was quite true; and if it were wrong of the late Government, on insufficient inquiry, to give to an unknown Company a contract for an ocean mail service which was not required, was it not more wrong of the present Government, after all the concerns of the Company had been elucidated, to continue a delusion and to confirm a job? He had heard a rumour that some kind of a compact had been entered into between the Government and certain of the representatives of Ireland, the price of whose support being the renewal of this contract; and whilst he disbelieved the rumour, he must say that the conduct of the Government in renewing the subsidy with the information they possessed gave colour to a rumour of that kind. He was utterly at a loss to understand why the Treasury Minute had been issued, if it had not been to provide for the political exigencies of the moment; the words uttered by Lord John Russell, on the 30th of May, 1861, were still ringing in his ears—

> " And, Sir, with respect to the matter of the Galway Contract, I say that rather than the Government should make any concession on that question in order to obtain votes, it would be better ten Ministries should be defeated, and that the House of Commons should be ten times dissolved, than that such a stain should be cast upon the Government of this country. And when I say that it is better ten Ministries should be defeated, and the House of Commons ten times dissolved, that is a consequence that would not be avoided; on the contrary, it is a consequence that would be brought on if any Government in this country were to act in so profligate a manner; because it is not to be supposed that this is a question in which one part only of the United Kingdom is interested. Galway Contracts might spring up in other parts of the kingdom; and if any ten or twenty Gentlemen, in the divided state of the House, or of the great parties which are represented here, found that they had defeated one Ministry by this means, the new Ministry would soon experience a similar attempt to make them stoop to this degradation."

These were noble and stirring words; but they had soon been forgotten, and he called upon the independent Members of that House to impress them on the front benches of both sides of the House. Though £78,000 might be a "paltry and contemptible" sum, yet it would be improper and unconstitutional in a Government to give it for political reasons at the instance of a certain number of Members, and it might pave the way for practices which might be common in the lobbies of the Capitol at Washington, but which would not be tolerated in the British House of Commons. He was informed, that according to the rules of the House, he could not divide on both Resolutions. He had considered the first the more important of the two, but it was not so immediately pressing as the second; and therefore he moved, as an Amendment to the Motion, that Mr. Speaker leave the Chair, the second Resolution that stood in his name. He entreated the House to take a course which, however small and paltry the sum involved might appear to be, would teach a lesson and establish a principle which would not be forgotten by the Cabinets of England in time to come.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is not prepared to grant a sum of Money to the Atlantic Royal Mail Company for conveying the Mails between Galway and North America,"

—instead thereof.

MR. HORSFALL begged to second the Amendment of the hon. Member for Montrose (Mr. Baxter). He said the House was much indebted to that hon. Gentleman for his able and impartial statement of the case. He was sure the country would be greatly astonished at the course taken by Her Majesty's Government in granting the Galway Contract after the strenuous manner in which the Members of the present Administration had opposed a similar contract when made by the late Government. His attention was first called to the Galway Contract by a letter from Mr. Inman, acting partner of the Liverpool, New York, and Philadelphia Steam Ship Company, who brought it under his notice on the ground so strongly urged by his hon. Friend in the conclusion of his speech—namely, the ground of breach of faith. In the Report of the Committee of 1860 would be found references to interviews had by different gentlemen representing Steam Packet Companies with Departments of the Government. It is stated that Mr. Inman offered to convey the mails for the amount of the ocean postage. On the 15th of October, 1858, Mr. Inman wrote to the Secretary of the Treasury remonstrating against any mail grant to the Lever Company without competition. He said—

"If any mail grant is to be given between Galway and any other port, I beg to submit it ought to be put up to public competition."

In reply to that, and a further communication, Mr. Inman received from the Secretary to the Treasury a letter to the following effect:—

"I am desired by the Lords Commissioners of Her Majesty's Treasury to inform you, in reply to the letter addressed by you to the Board, on behalf of the Liverpool New York, and Philadelphia Steam Ship Company, that when a new postal service is about to be established by the Government it is the practice of their Lordships to invite tenders by public advertisements, thereby affording to all parties the opportunity of competing for such services, provided they conform to the required conditions."

Very shortly after that letter was addressed to Mr. Inman, the Government of the day, without any further communication with him, entered into a contract with the Galway Steam Packet Company. From the fact that the Montreal Ocean Steam Ship Company offered to take the contract of the Galway Company, and give the latter a bonus of £25,000 a year to relinquish their contract, it must be obvious to every one that the Government must have made a very liberal contract with the Galway directors. He would now refer to a letter which Mr. Inman addressed to the Postmaster General on the 9th of February last, in which he said—

"On reference to the original contract it will be seen that the time fixed for the conveyance of the mails between Galway and Boston and New York by the Galway boats offers no advantage of speed over our own between Cork harbour and New York; while several years ago we offered to convey regularly the British mails for the ocean postage, and the records in your Lordships' Department will show that we have never failed to despatch a steamer every week from Ireland without any subsidy whatever, and, when required, two steamers in the week."

The House had been told that the chief argument in favour of the contract was that it was one made to an Irish company. He thought it had already been shown that for all practical purposes there was only one Irishman connected with the Company, and only one holder of the 7 per cent preference shares. In the Report presented to the House on the 22nd of May, 1860, the Committee stated that Lord Derby's decision sanctioning the contract with the Galway Company had been given in ignorance of several of the circumstances bearing strongly on the case, including the implied pledge to Mr. Inman that any new service would be thrown open to competition. But the present Government could not have been ignorant of that pledge, and therefore their conduct in the matter was far worse than that of the Government of Lord Derby. However, the question was not one between the late Government and the present. It was the duty of the House to decide whether the contract should be made, and that issue was submitted to them in a practical form by the Resolution of his hon. Friend, which he now begged leave to second.

Mr. GREGORY said, that he could not find fault with the fairness of his hon. Friend the Member for Montrose (Mr. Baxter) in treating this subject, but he would make an appeal to his hon. Friend. He would ask him, after the decision to be arrived at that evening, to leave this Galway Company in peace. The reason he made this appeal was that there was very great distress in Ireland at the present moment. Really the existing poverty in that part of the world was shocking, and to alleviate it in some degree it was intended to make very extensive improvements in the harbour of Galway; but so long as there was uncertainty as to the action of Parliament it was impossible to obtain the necessary funds for those improvements. He therefore trusted the decision of that evening would be considered as final. As to the Resolution of his hon. Friend, he objected to it in form and substance. It was skilfully drawn for bringing into the lobby with the hon. Member two different classes of opinions. Some Gentlemen were anxious for the reduction of all subsidies; others, though generally in favour of subsidies, had a strong objection to the Galway Contract; and the hon. Gentleman's Resolutions were framed to catch the support of both these classes. He objected altogether to the hon. Gentleman's first Resolution; for though he was as anxious as any man to see reductions made wherever they were possible, yet the greatest care ought to be exercised lest the efficiency of the Postal Service should be impaired. In the Postal Service regularity of despatch and speed of transmission were of vital importance, and these could not be obtained except from subsidized companies. A paper had recently been put into his hands, which showed the average rate of speed of subsidized and and non-subsidized lines. This showed that the average passage of Inman's line, which was not subsidized, was 16 days 20 hours in winter, and 13 days 16 hours in summer; whereas the passage of the Cunard line, which was a subsidized line, was 12 days 10 hours in winter, and 10 days 6 hours in summer. At the rate of speed required from the Galway line the passage would be 10 days 13 hours in summer, and 11 days 17 hours in winter. A high rate of speed, too, greatly increased the expense. The increase from nine to ten knots an hour made it necessary for the West India Company to increase their expenditure from £264,802 in 1851 to £403,769 in 1853. The speed required from the Galway Company was over eleven knots, and it had been calculated by Mr. Atherton, chief engineer at Woolwich, that the freight of goods carried at ten miles an hour ought to be double the freight of those carried at eight miles. A purely commercial company, therefore, must either increase its freight to almost double the amount on its goods if it is to keep up the present rate of speed of postal companies, or the public must be content with a great loss of time in delivery of the mails. Lord Canning's Committee had laid the strongest stress on the punctuality and rapidity of the transmission of letters attained by these subsidized companies. They said—

> "Not only is this service simply rapid—it is also regular, and the mercantile community can reckon, with the utmost certainty, on the punctual despatch and arrival of mails."

This regularity and punctuality it was impossible to obtain unless the Government had that stringent power of enforcing rules and regulations which the grant of a subsidy gave them. By the aid of these subsidies the great Steam Navigation Companies had been able to create magnificent fleets of splendid vessels, which in time of war were an important element in the strength of England. In the Crimean war the Government took up from three companies 29 vessels, of an aggregate tonnage of 53,000 tons and 12,700 horse power; and two of these companies, the Peninsular and Oriental and the West India Mail, still continued to keep up their communications with uninterrupted regularity. These companies never could have kept up these great fleets without subsidies, for it was well known that the working expenses exceeded the net earnings of the lines. The Emperor of the French had subsidized lines to Brazil and the Southern Seas, for the expressed and declared object of increasing commercial traffic, and of creating additional elements of maritime strength; and the Americans, as might be seen in almost every American paper, had never ceased to regret that they had not kept up their great Collins line. He could not, therefore, agree with the hon. Gentleman's reasoning as to subsidized lines. Turning, however, to a subject much more important to himself and the Irish Members generally—the Galway Contract—he was not in the least affected by the opinions of Mr. Dunlop (which the hon. Gentleman had read to the House), nor was he prepared to allow the truth of the accusation so strongly made by the hon. Gentleman that this Galway Contract was entered into by Lord Derby's Government for political purposes. It had been shown over and over again in that House, that that assertion was utterly untenable. It had been proved over and over again, by dates, and by reference to various communications, that the late Government had determined to grant the subsidy, on the recommendation of Lord Eglinton, long before there was a question of a dissolution. The hon. Gentleman said it was done to gain popularity. Popularity certainly did follow on the act. The people of Ireland were grateful to the late Government for the course they adopted, and the hon. Gentleman said *Post hoc, ergo propter hoc*— because popularity followed, therefore it was done for popularity. He contended that the Government and the House were bound in honour to confirm the grant. The Committee of which he was Chairman came to a resolution, that if the Government were of opinion that there should be postal communication with a western port of Ireland, the Atlantic Company should be favourably considered. It had been intimated to the House, by the noble Lord at the head of the Government, in July, 1861, that the demand made by the Irish Members for postal communication between the west of Ireland and America was a very fair one; the noble Lord on that occasion said he could assure his hon. Friend the Member for Galway (Mr. Gregory) that Her Majesty's Government were of opinion that the port of Galway presented the greatest natural advantages. Now, he was perfectly satisfied to advance that opinion against all the calumnies which his hon. Friend the Member for Montrose (Mr. Baxter) had that evening lavished upon the port of Galway. He would go further, and tell the House in reference to the capabilities of that port, that during the whole of the exceptionally severe winter, during which the ships were running to and from America, not a single accident happened there, except one, the circumstances connected with which were of a very suspicious character. It was well, also, that hon. Members generally should be informed that the Secretary to the Treasury had written a letter on the 31st of January last, in which he said, that subject to the Admiralty being satisfied as to the efficiency of the vessels themselves, Her Majesty's Government were prepared to enter into an engagement with the Company, and to propose a Vote to Parliament in pursuance thereof. On the faith of those assurances the Company had spent £200,000 in improving their vessels and rendering them fit for the service. Under all the circumstances of the case, therefore, the Government were, he thought, bound to grant them the subsidy for which they asked. But his hon. Friend had found fault with the merchants of Belfast for having petitioned in favour of the Company, alleging that they had done so on the ground that they would get their goods carried by it at a cheaper rate. It should, however, be borne in mind, that they had petitioned in favour of a grant for postal communication between Ireland and America in 1851, long before the ships were ready, while it was also represented that they were anxious for its continuance in order that they might have an opportunity of sending their linens to Galway, and thus prevent their being injured in the transport to Liverpool or some other English port. When, moreover, his hon. Friend said that letters which had been sent by the Galway line cost the country at the rate of 6*s*., he was conveying a false impression to the House, because, in consequence of the doubts connected with the action of the Government towards the Company, only a small part of the Irish correspondence passed over the Galway line. Of course, therefore, the smallness of the number of letters sent increased the average expense of each letter. That was, however, an exceptional state of things, and no one knew better the fallacy he was employing than his hon. Friend (Mr. Baxter). It was perfectly notorious that one-third of the letters despatched from the British Isles which went to America went from Ireland, so that she was perfectly entitled to ask for some portion of the money expended on postal communication with that country. Another cause of complaint alleged against the Company by his hon. Friend, was that it was carried on by English capital. For his own part, so far from feeling aggrieved at hearing that most of the money of the Company was subscribed by English capitalists, he should be very glad to find them applying their resources to the amelioration of Ireland. His hon. Friend, had, however, proceeded to take great exception to the ships of the Company; but he believed the Surveyor of the Admiralty had nothing to say against them now, while he was given to understand that the trial of one of them—the *Columbia*—had recently proved to be perfectly satisfactory. He had, indeed, been challenged by his hon. Friend to proceed to America in one of these vessels, but he begged leave to decline the challenge, not from any want of confidence in the ships, but because he was perfectly aware that the Northern States were in that state of moral blindness that they were unable to appreciate their true friends, and he had no desire, for the mere sake of inaugurating the undertaking, to run the risk of undergoing certain processes sometimes inflicted in those States under the influence of popular excitement. But his hon. Friend had quoted the letter of Mr. Inman, to show that there was some underhand dealing on the part of the Company with reference to the place which they intended to select as a port of departure, it being insinuated that they proposed to fix upon Southampton. Now, to that rumour he was in a position to give a most positive contradiction, inasmuch as there was not, he believed, the slightest intention on the part of the Company to transfer—nor had there ever been any communications between them and any other body which could reasonably give rise to the impression that they meant to transfer—their vessels from Galway to Southampton, or any other English port. His hon. Friend had gone beyond that, and had stated that a compact had been entered into between the Irish Members and the Government on the subject. To that statement, also, he could give an equally emphatic and peremptory denial. The Irish Members only asked firmly, but respectfully, for a renewal of the grant, on the ground that large sums were spent in England for various public undertakings — for arms, ships, clothing, dockyards, &c.—and that the Irish people, who were taxed for all those purposes, were entitled to some share in the benefits of the national expenditure. His hon. Friend asked what would be the effect of granting the subsidy. He could, from his own observation, assure him that during the time the vessels were running from Galway to America the greatest improvements were taking place in that port. Everything there, in fact, seemed to be undergoing a change for the better; and he was convinced that if the subsidy were renewed, Galway and the West of Ireland, indeed the whole of Ireland, would derive from it the greatest advantage. There was at present, he might add, much misery and no small amount of discontent prevailing in Ireland, and such was not the moment when the House should refuse the small boon she asked. He sincerely trusted that in the future the Treasury would not raise unnecessary obstacles, but would deal with the Company fairly, honestly, and in a generous spirit, saying, "We have done our best to help you through your difficulties; now go and help yourselves."

Mr. BENTINCK said, that the hon. Gentleman who had introduced the subject had expressed his surprise that there should have been acts of jobbery on the part of two Governments, and his hope that in future there would be no renewal of such practices. He could not share either in the feeling of surprise as to the past, or in the hope as to the future. A study of the political history of the country had convinced him that there never had been a Government which did not job, and he believed there never would be a Government that would not job. He looked upon the Galway subsidy as having been, in the first instance, what is commonly called a job. It was a job in the sense in which every Government has jobbed heretofore, and every Government will job hereafter; it was a wasteful and indiscreet expenditure of public money for the purpose of making political capital. The hon. Member for Galway had indignantly repudiated the idea that it was ever intended to have the effect of influencing the votes of Irish Members. He entirely acquitted the Irish Members of that imputation, but the hon. Gentleman admitted that it was to make the Government popular in Ireland, and he would not go into the distinction between obtaining popularity and obtaining votes, as it appeared to him to be a distinction without a difference. But if the whole affair was a job in the first instance, what was it in the second? The Company undertook at starting that which they had neither capital nor ability to perform; but when their affairs had been looked into, as they were recently, when their inability to carry out the contract was clearly shown, that which was a job in the original grant was a greater job in the renewal. He regretted that the hon. Member (Mr. Baxter) had omitted the first Resolution, as it was of far greater importance than the second. The Galway Contract question was a small matter as compared with the general subject of subsidies, which he hoped the House would at an early period consider. He went further than the hon. Member, for he thought, that in accordance with the principles of free trade, every description of subsidy should be done away with. The House had no right to tax the great mass of the people for the benefit of the mercantile portion of the community. The changes that took place in the rates of postage some years since were, he believed, ill-advised; they benefited a small portion of the public at the expense of the great mass of the people. The poor man who wrote a letter perhaps once a year, derived but a small advantage; while the mercantile community reaped a large benefit. The effect of granting subsidies was exactly similar; and he trusted the day was not far distant when they would be entirely discontinued. Those who had occasion to correspond with America should pay whatever was required to enable the correspondence to be transmitted. He admitted that the question was one which should be dealt with cautiously, and that care should be taken that no injustice was done to those who now held contracts. In the present case, however, no injury could result except to the twenty-seven shareholders who had been spoken of, who were not Irish. He hoped the House would affirm the Resolution, and that they would thereupon enter into a discussion which should lead to the doing away of all subsidies.

Mr. WHITESIDE: Sir, the hon. Gentleman who introduced the Motion said that he had bestowed immense attention upon this subject. I can fully appreciate the force of that remark. The Galway Contract seems to have occupied his waking and his sleeping thoughts for a long period of time, and he appears to have staked his political reputation on destroying what he has been pleased to pronounce a gross political job. It is a very long time since this question was first raised in Ireland. A Committee sat upon the subject in the Mansion House, Dublin, in the year 1850; and that the House may understand who were the political jobbers who commenced the movement which ended in the attainment of the Contract, I will read the names of the members of that Committee. They were:—Benjamin Lee Guinness, John D'Arcy, Joshua Pim, David Latouche, Denis Moylan, Francis Codd, Joseph Napier, and another individual whom I will not mention. The question has occupied the attention of the public for a long period, and I entirely agree with the hon. Gentleman that it ought to be considered on Imperial grounds. I know my duty to this House too well to press the provincial view, nor can the question be fully argued on narrow principles. But how did the hon. Gentleman prove on Imperial grounds that this contract ought not to be granted? Was it by facts? He has no facts. Geography is against him; the terrestrial globe is the strongest argument in our favour. If we had a Parliament sitting in Dublin, and an opportunity of representing to the Minister upon the spot that there were 2,000,000 of our countrymen in America, that the trade of the North of Ireland was mainly with that part of the world, and that according to the laws of nature and of justice our letters and communications ought not to be carried past our shores, how should we act towards a Minister who declared that those letters should continue to be carried past the coast of Ireland and sent back to us again after a considerable delay? For the benefit of the country we should deal with him as a political idiot, and dispense with him accordingly. What was the opinion given by Sir Rowland Hill before a Commission years ago on this very point?—

> "It appears to me, as far as the convenience of the Post Office is concerned, that the port of arrival and despatch of American mails cannot be too far to the West; that the further it is situated in that direction the better; so long at least as it is not beyond the reach of railway communication."

That is a direct authority in favour of the principle for which we contend. It is not an Irish witness seeking to establish Irish views, but a man in high position giving testimony which no one can contradict, for it appeals to the evidence of our senses. He says further—

> "I entertain this opinion partly because the progress by railway would be quicker than by steam packet, and partly because a more westerly packet station would enable us to serve the western parts of Ireland better than at present. If the port were situated in the West or South West, it would be possible to bring letters to all parts of England and Scotland probably ten or twelve hours earlier than at present, while as

> regards Ireland, which receives one-third of the whole correspondence, the time saved would be much greater."

It is quite true that the movement in which the South and West are so interested began in the North of Ireland. The residents in that part of the country are clear-headed gentlemen with a good deal of Scotch blood in their veins, but softened by a residence in Ireland. Sir Rowland Hill was also asked how Belfast would be benefited by the establishment of a packet station in the West or South West as compared with existing arrangements, and as compared also with arrangements for landing the mails at Holyhead. He replied—

> "Assuming the packet station to be Galway, and the railway thence to Dublin to be completed, I find, as compared with existing arrangements, that the town of Belfast would, under ordinary circumstances, benefit to the extent of about forty-one hours; and when the arrangements for landing the mails at Holyhead are carried out, the saving will be about twenty hours."

The time of which he is speaking is ten years ago. Since then the merchants of Belfast have subscribed to the formation of a railway, which is now completed, bringing the North and West into immediate communication. Anybody who lives in Scotland will be able to dine in Glasgow, to sail from Greenock the same evening, and to land on the quay of Belfast at four next morning, to proceed thence to Galway without delay, and, if he chooses, to sail out into the Atlantic before midday, thereby avoiding the voyage through the Channel. A few years since I happened to be staying near the coast, within six or seven miles of Belfast, and saw a steamer passing rapidly; and on asking what it meant I was told it was going to take off the passengers belonging to the *Africa*, one of the Cunard vessels, which had grounded on the Copeland Rocks. If it had not been a perfectly calm night, every soul must have perished; but, as it was, all the passengers were brought in safety to Belfast. It has always been matter of surprise how the *Great Britain*, under the care of a skilful navigator, could have found her way to the place where she remained so long an object of curiosity; but it was easier to get ashore than to get off again. On a third occasion the *America*, whilst in the Channel, went ashore. The witness examined regarding the danger of the Channel passage, replied that it would no doubt be a very great advantage to escape it altogether. Is it surprising that Belfast men should wish to escape it and to get their letters forty hours sooner than they did under the old system? To men of business time is money, and unless you are prepared to say that Ireland is to be governed on principles which would utterly ignore the interests of the Irish community, you cannot justify bringing letters past their shores and sending them back again. The hon. Gentleman says the Irish representatives are unanimous on this point. I admit it, and I cannot see that he has given us any reason why they should not be. He has failed to show that letters will not be obtained quicker, and telegraphs more satisfactorily, by the Galway line than by any other route. Until he does so, I cannot understand how the natural advantages of the line can be impeached. The hon. Gentleman appeared to night, as it seemed to me, in the character of an indignant patriot. He said the question was originally Irish, and therefore the scheme ought to be rejected. Certain English capitalists took it up and embarked money in it; therefore, *a multo fortiori*, it ought to be rejected. Nothing remains but to make it Scotch, to concentrate our thoughts and affections on the far north, to carry the undertaking to "Aberdeen awa'," and then its patriotic character will be immediately established. The hon. Gentlemani nquired whther one of the ships had not been mortgaged. Suppose Mr. Cunard mortgages one of his vessels, does that affect the contract entered into with him? [Mr. BAXTER: It ought to do so.] That is a point which it is necessary to clear up. If there be a contract under stringent conditions, those conditions must be complied with, or the contract will not be fulfilled. But if the services stipulated for in the contract be performed, how is the question affected by the mortgage of a particular ship?

MR. ROEBUCK: Perhaps the right hon. Gentleman will allow me to say that the charge is utterly untrue.

MR. WHITESIDE: That interposition entirely changes the nature of the argument, for it shows, that however telling may have been the speech of the hon. Member for Montrose (Mr. Baxter), one of the facts on which he mainly relies is no fact at all. The hon. Member also asked how the service could be conducted by this Company. That is a very proper question. But, looking at the correspondence, can any one suppose that the Treasury, the

Admiralty, or the Post Office have been particularly lenient with the Galway Company, or that they have not watched it with the closest and strictest scrutiny? The hon. Gentleman says other persons apart from the Company are interested in this contract. Let me ask, if a contractor sells his interest to another, does that in the slightest degree impeach the validity of the contract? Why, I was told that Mr. Cunard once parted with his interest to some extent. I deny the right of the hon. Gentleman, or of the Government, to make that a ground of objection. If he performs his engagements faithfully and efficiently, you have no right to inquire whether he shares the remuneration with other persons. The hon. Gentleman placed two Resolutions on the paper. The first was a just Resolution; the second, in my opinion, an unjust one. With great disinterestedness and generosity he withdrew the Resolution which raised a principle, and pressed that which struck at a contract. It seems to me that the hon. Gentleman put down the first as a cover for the second, and appealed, I am sorry to say, to prejudices unworthy of a statesman against a country which wants nothing but what is right, and will not support the Government one whit more for granting the subsidy than it would have done had it been refused. Such, at least, I can assure the hon. Gentleman is my intention. Now, let us hear what Mr. Laing says—

> "There would be no sort of justice in cancelling the contract on the grounds of general policy, unless we are prepared to take the same course with the Cunard and other contracts which stand precisely upon the same footing."

Now, Mr. Laing is a political economist; he was Secretary to the Treasury, and, I understand, is about to enter the House again as the representative of a great commercial city. He then made this remark—

> "That as long as subsidies for steam services across the Atlantic were granted, inasmuch as Ireland contributed about a third of the whole postage, and afforded the nearest point of departure, and therefore the speediest route to America, Ireland might justly claim a right to the contract."

I think that is good logic. No doubt it is true that many curious things are done by the Government. I was turning over the statute book the other day, and by mere accident I lighted upon the 23 & 24 *Vict.* c. 48, in which I found that the Commissioners of the Treasury are empowered to accept £50,000 in full satisfaction of £228,374 9*s.* 8*d.* due to the Commissioners of the Treasury on security of the harbour and docks of Leith, and secured by bonds payable by the City of Edinburgh. I commend that case to the consideration of the hon. Gentlemen—it was passed at the end of the Session, and I mean to preserve it as a curious illustration of the care bestowed upon their friends in Scotland by hon. Gentlemen from the North who give a steady support to the Ministers of the day. I make no attack on the Treasury for that transaction. I am content to believe that the inhabitants of Leith made out a good case, and that the Ministers were convinced on that occasion. Now, with regard to the passengers carried by the Galway route, I find by a Return which has been presented to the House of Commons, that while by two rival lines there were carried 84 and 163 passengers respectively each voyage, by the Galway line 373 were carried. The cause of that difference in amount was that the Galway line attempted to carry third-class passengers, which the other lines did not, and it is among that class that the greatest loss of life usually occurs. From the Report of Major Robinson it appeared that in 1847 there were 89,000 emigrants from Ireland, of whom 5,893 perished at sea and 10,000 died upon their arrival in America. Now, if you give to the Empire at large its letters more quickly by the Galway than by any other route—if you do a great service to Ireland, and at the same time preserve human life, then I say there is a strong case for giving the contract to Ireland. With regard to Liverpool, when the Commissioners inquired respecting its harbour, Mr. Cunard himself stated that at present the departure of the packets depended upon the fluctuating state of the tide, and the mails and passengers were often detained for a length of time varying from six to seven hours, And with respect to Holyhead, Mr. Cunard said he did not see any particular objection to it as a place of call on the passage home, provided a proper pier were erected; but to call at Holyhead in the passage to America would deprive us of the use of the northern passage, which was of very great consequence, and would frequently cause considerable delay. I have said what would be the gain to Glasgow by making Galway a packet station. Glasgow carries on an extensive business with Belfast, they have admirable steamers there; and, as I said before, a man leaving Glasgow in the evening might arrive at Belfast about four o'clock in the morning. It must, then, be a clear advantage to Scotland to have a station at Galway; and therefore the hon. Gentleman is in this instance disinterested, because I believe he is the first Scotchman that ever spoke a word against the interests of Scotland. Can the hon. Gentleman inform me of any instance where a merchant who has entered into a contract has repudiated it without sufficient reasons? This Contract has been made by a Vote of Parliament. Will you not apply to public matters a line of conduct which would be followed in private affairs? But how do you propose to get rid of this contract? By an abstract Resolution. I have a horror of all abstract Resolutions. Whenever I think of them, my mind turns upon Parliamentary Reform. And with all the great questions before us—Poland, Naples, Greece, and all the other matters which occupy the thoughts of our distinguished Administration—why does the hon. Gentleman concentrate his abilities upon this small question? It was not usual in old times to fetter the Executive. The money is not granted; but the new practice is to make the executive Government a mere creature of the House of Commons, and to tell them they shall not be at liberty to propose a Vote which they have not proposed, but which upon good grounds they are likely to propose. The hon. Gentleman has said this contract is a political job. Every Gentleman has a right to his opinion; but having head the views of a distinguished countryman of the hon. Gentleman, then Lord Lieutenant of Ireland (the Earl of Eglinton) upon the subject, I believe a decision was never arrived at upon more conscientious grounds. Believe me, it is a narrow and short-sighted policy which endeavours to raise a prejudice in this House against a project for encouraging rapid communication with the only country in the world with which we have a constant interchange of ideas and interests. The Italian Government has not as yet opened up Italy to the linen trade. France, I am glad to say, is improving in that respect. But America is the market of the North of Ireland. When I lately asked a gentleman (who, from his accent, did not appear to belong to Galway) the following question, "What interests you so much in this matter?" he answered me at once, "My pocket;" and a very fair answer it was. He said he felt the injustice that was done him. "Here I am," said he, "and the ships carry my goods past Ireland, they carry my letters past Ireland, and my money past Ireland; and because we have established a trade, and because America is our market, our rights are not to be respected." I told him to go to the noble Viscount and tell him all he had told me and I had no doubt he would satisfy him. But it is said, that the contract has been confirmed by the noble Viscount from an unworthy motive. But I do not believe the noble Viscount will get the support of Irish Conservative Gentlemen on my side of the House (and we are the majority) if they are asked to give their support to a policy which they do not understand. It is my duty to do justice to the noble Viscount, and to express my entire disbelief that he has restored the contract on any other grounds than those of justice and good policy. I trust that the House will affirm the decision of the Government; and if, in addition to benefiting the Empire at large, the arrangement will confer great service on Ireland, that is no reason to a just and enlightened mind why it should be unfavourably regarded.

VISCOUNT PALMERSTON: Sir, My hon. Friend moved two Resolutions, or rather announced his intention of moving two Resolutions, but he tells us that he will not propose the first. It becomes us, then, following his precept, "to tread lightly on the ashes of the dead." My hon. Friend has launched against the present Government a charge, which is easily made, which always obtains cheers, and which pleases those who entertain very superficial and shallow notions of Government, and who are willing to adopt anything tending to disparage an Administration. He has said that the present Government, in adopting this Galway Contract to the extent we have, has committed, or attempted to commit, a great political job — namely, that we hope, and had reason to believe, that by adopting this contract we should obtain support from the Irish Members. He has, in that statement, certainly pronounced a double censure on the Government, because in the first place he impeaches our political morality, and in the next place he impeaches our political sagacity; because —and I would appeal on this point to my hon. Friend the late Irish Lord of the Treasury (Colonel White)—experience has shown, that if we did reckon on the support of Irish Members in adopting this contract, we have been more wofully deceived and disappointed than often falls to the lot of a Government of this country. But I entreat my hon. Friend, who brought forward the present Motion, to raise his views a little higher than that state of morality by which he seems disposed to judge of the actions of others. Cannot my hon. Friend imagine that it is possible for a Government, in dealing with a public question, to be influenced by legitimate public considerations of national advantage? Can he not believe it possible, that, in recommending to the House a confirmation of this contract, we may have been influenced by the desire to promote the interest of Ireland, one-third of the letters passing to America being sent from that country? Can he not imagine that, in looking to the state of the United Kingdom, we may have seen a large portion of the people inhabiting a country to which nature has denied many of the advantages this island enjoys, in which that abundance of coal which is the foundation of the manufacturing industry is in a great measure wanting, and where all local circumstances have been so arranged that in it the accumulations of national defence, the marine establishments of the Empire, are not placed. Ireland is a country where, though it has harbours in abundance, circumstances beyond the control and discretion of the Government of the day have so ordered it that there are not in it any of those great naval establishments which, in a considerable degree, contribute to the welfare and prosperity of the districts in which they are placed. Cannot my hon. Friend—if he would only enlarge his mind and liberate it from the narrow scope of consideration by which he seems actuated—can he not believe that the Government, whose duty it is to watch equally over the welfare of every part of the dominions of Her Majesty, may have been influenced (if an arrangement were presented to the consideration of the Government, calculated in the opinion of the Irish nation to contribute to their prosperity and welfare, and which, with a view to the benefit of the whole United Kingdom, would be useful and desirable) by considerations of the same sort, and not by such a flimsy hope as that of simply gaining support in this House. The best chance a Government has of obtaining support, not only in this House, but in the country, is to do the best they can to promote the interests of the whole Empire, including Ireland. That was one of the grounds on which the Government thought it right to adopt the course they have taken. My hon. Friend has argued this question as if no interests were concerned but those of Scotland and Liverpool. He has totally forgotten that Ireland is a part of the United Kingdom and has an interest in speedy communication and in getting its letters and goods transmitted across the Atlantic, independent of considerations which attach simply to the different ports of communication. It is a great evil for Irishmen to be compelled to come to England, when they want to go to America, or to wait for their letters from America until they are forwarded from England, or to send their goods from Ireland to England for transmission across the Atlantic, and any arrangement which gives them a more direct and ready communication between the western part of Ireland across the Atlantic and America must obviously be an advantage to Ireland, must tend to assist the development of the natural resources of the country, and to increase the commercial and, to a certain degree, the manufacturing prosperity of the country. These were the views of the Government on the general question with respect to this contract, which, if well carried out according to the engagements offered by the contractors, would contribute to the benefit of the Irish people. But there is another consideration which could not fail to prevail on the mind of any Government who had to deal with the question, and that is the consideration that the faith of one Government had been pledged, and the faith of Parliament had been pledged to a certain degree. A great number of Irish people—1,800 my hon. Friend stated—had embarked their limited means, their all, in this enterprise. Though no engagement may now exist, all this constituted some claim on the present Government, who would not have acted right in repudiating it, unless in the case of a great failure on the part of the Company to complete the conditions of their contract. At first they did fail, and no doubt their contract was at an end; but the Committee appointed by this House recommended the Company to the favourable consideration of the Government, and we certainly did think that if they should, by enlarged arrangements and by getting more capital at their command, fulfil the engagements they offered to enter into, it would be fair to the parties—to those whose only chance was making good the money they had invested—to renew the contract, from which they expected to derive some interest for their money. That is the way in which the question at present stands for their consideration. My hon. Friend calls on the House to do that which I think would be an act of great cruelty and injustice, to interpose and say that this contract should not be renewed but should be extinguished. In that case, whatever chance these unhappy 1,800 people had of retrieving their losses, and deriving some interest from their money, would be dissappointed and their ruin complete. With respect to those who have invested their money in the enterprise, my hon. Friend thinks he will persuade this House to perform what I think an act of cruelty and injustice. I do not believe that this House will do anything of the sort. I believe that this House has a greater regard for political morality than my hon. Friend seems to give it credit for. I think it would be an act of political immorality and an arbitrary act if, in consequence of an abstract proposal, which my hon. Friend is afraid to submit to the decision of the House, and which he does not make the foundation of his second Resolution, the House were to call on the Government to crush all the hopes which these unhappy contributors to the enterprise may yet retain of realizing the profits of their investments, and were immediately to pass a Resolution putting an entire end to this Galway Contract. I say, that if the Company, whether consisting of preference shareholders or ordinary shareholders, can make good their engagements, I think that the good faith and pledges given by the Government in this House will lead the House to negative the Motion.

General UPTON said, that every person in the district of Belfast, and many in other parts, considered that the granting of this contract would lead to a great saving of expense and time in carrying the mails between this country and North America. Lines of railway had been formed and other enterprises entered upon in the expectation of good faith being kept in this matter by Government. He therefore hoped the decision of the House upon the Resolution would be in accordance with that which had been formed by the Government.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 109 ; Noes 46 : Majority 63.

Viscount Palmerston

Original Question again proposed.

MURDER OF MR. BRADDEL.

OBSERVATIONS.

Mr. WHITESIDE said, he rose to call attention to the circumstances connected with the assassination of Mr. Braddel, in July last, in the town of Tipperary. Mr. Braddel was the agent of an estate belonging to a gentleman residing in England. On the estate was a man named Hayes, who acted as a bailiff. This person was therefore well known to the people in that quarter, and no great admiration was entertained for his character. A son of Hayes was tried for murder and acquitted. On the conclusion of the trial, Mr. Braddel told him that he must either send the son away or quit the estate. In July, Mr. Braddel went to Tipperary to collect the rents. While sitting in a room of his hotel, with a bailiff named Moore, to receive the tenants, Hayes entered and pressed him to accept his rent. Braddel refused to take it. Hayes asked him a second and a third time, and then discharged a pistol at his breast. Three shots were fired in an hotel in the middle of the day, in a town of 6,000 inhabitants, and containing innumerable police, and yet the assassin escaped. Mr. Braddel named the man, but he did not believe the wound to be mortal. He locked his desk and proceeded to another house, where he believed he should be safe. A man named Moore was present during the scene ; and when asked why he did not secure the murderer, he said he tried to hold him but was afraid of him. The consequence was that fifteen minutes elapsed before the alarm was given, and the pursuit was unsuccessful. Hayes was an elderly man, his person was well known ; and although his crime might have raised him in the estimation of some, he was before this event very unpopular. He may have caught a railway train and have proceeded to Waterford and Liverpool. There were 1,000 policemen in that division of the county, and he had heard that an investigation had taken place into the conduct of two of their body, on the ground that the man was not arrested when it was possible. He had heard that one or two men were dismissed on this ground. He did not believe there was a body of police superior to that in Ireland. They were steady and veracious witnesses, and they generally found out a criminal. This, however, was a very remarkable case.

A strange story was current that Hayes was seen at Berehaven, and that he attempted to leave in a ship bound to America. The police were, however, on his track, and on pulling to the ship, it was said that Hayes was not on board and had been refused a passage. This was at a date long subsequent to the commission of the crime. Mr. Braddel lived forty minutes after receiving his wounds, but his thoughts ran not so much upon his murderer as upon his wife and children, in whose favour he desired to make a codicil to his will. He made a dying declaration, but owing to the cause above mentioned it was not in due form. He (Mr. Whiteside) did not impute to any one engaged in the administration of the law in Ireland a lukewarmness in bringing so detestable an assassin to justice. There was, however, no proof that he had left the country, and he certainly had not yet been arrested. The police in this case had command of the electric telegraph; they had the means of communicating with the various harbours on the coast, and they had notice of the crime fifteen minutes after its perpetration. He wished, therefore, to receive from the right hon. Gentleman the Secretary for Ireland some explanation of the conduct of the police and the Government in this matter.

Mr. BAGWELL said, that the remarkable part of the case was that Hayes was well-known in the country, being a notorious character and greatly disliked from having been instrumental in carrying out a great number of ejectments. Yet the man walked out of the hotel and might have sunk into the earth for anything that had since been heard of him. One policeman was dismissed for not arresting him —not that he believed he actually saw Hayes, but that he failed to apprehend a man whom he thought to be the murderer. Tipperary was very centrally situated in regard to railways, and thus the murderer had many facilities for escape. He happened, however, to be at the time at Queenstown, which was the principal port of embarkation, and he was told, that although the murder was committed at noon on Wednesday, and telegraphic communication existed, it was not until noon on Friday that the police at Queenstown had information of the assassination. He believed that a ship sailed for America on Thursday, the day after the murder, but there was no one to stop the assassin. Hayes was known to have £37 in his pocket, and he might have escaped by this vessel. All parties in Ireland had been entreating the Government, but in vain, to alter the system of police in that country. Numerous petitions had been presented to that House complaining of the whole organization of the police. Crimes were committed, but they were not found out. One of the finest body of men in the world had been converted into indifferent soldiers and bad policemen. Each policeman carried a rifle, which he could not use, and a sword bayonet a yard long, which got between his legs and threw him to the ground upon his attempting to run. The men were marched out at night in large bodies, and, encumbered as they were, could be heard a mile off. He trusted the Government would seriously consider the expediency of introducing some change into the organization of the police in Ireland. So long as they allowed the present system to continue, they would be morally guilty of all the murders perpetrated in that country.

CASE OF MICHAEL O'CONNOR.

OBSERVATIONS.

Mr. O'HARA said, that he desired, before the right hon. Gentleman the Secretary for Ireland addressed the House, to call attention to another case in which justice had not been done. In September last there resided on his property in Sligo an elderly gentleman, named Davey, who had amassed a considerable fortune in the merchant service, and who had two daughters living with him. Both girls had been well educated in the Ursuline Convent, in the town of Sligo. On the 30th of September, about nine in the evening, a person named Michael O'Connor, accompanied by another man, went to Mr. Davey's house and attempted to carry off one of his daughters. He dragged her to the door and tried to force her into a car, but was obliged to drive away, leaving the girl lying on the road. The following morning he was apprehended by the police, taken before a magistrate, and ordered to be tried at the next petty sessions. Early on the morning of the 15th of October, which was the day before that fixed for his trial, he made a second attempt to abduct Elizabeth Davey. Accompanied by seven or eight men, all the worse for liquor, he broke into the house, threatened some of the inmates, and destroyed a good deal of property. There could be no doubt that his object was to carry off the girl, but she was concealed by the father, and so escaped. O'Connor was apprehended and fully committed for trial. The case being thought too serious to be tried at the sessions it was sent to the assizes. Meantime O'Connor was admitted to bail, and in the interim married the young woman. The assizes came on, and people were anxious to know what would become of O'Connor. The indictment found by the grand jury was for the abduction alone, and of course it could not stand, because the wife could not give evidence against her husband. The accused appeared, and the Crown prosecutor said, that as he had made amends and married the daughter with the father's consent, it would be sufficient if he were bound in his own recognizance, and O'Connor was bound accordingly in the sum of £100. His complaint was that the ends of justice had been defeated, first, by the admission of the man to bail, and secondly, by withholding the indictment against him for the more serious offence; and if the action of magistrates were to be completely overruled, as had happened in this instance, by persons in authority, the very worst possible results must ensue to the peace and good order of the country.

Sir ROBERT PEEL said, that he did not exactly understand the object of the hon. Member for Sligo (Mr. O'Hara) in submitting this case to the House. Apparently, no doubt, violence had been offered to this young woman. It was certainly a very serious crime to break into the house, but it appeared to him that the affair was rather a rough species of courtship—the young man being in love with the young woman; that the father opposed the match, and that an abduction was attempted. A second attack was made, and after that the young man married the young woman. He presumed that they were living happily together. The hon. Member complained of the young man being released on bail without the knowledge of the magistrates, and said the proceeding was an outrage on justice But O'Connor appeared when called upon, and pleaded guilty to the charge; and he really could not see that there was any very great infringement of the principles of justice in his being admitted to bail after having been six weeks in prison. At all events the affair was, he hoped, happily finished, and he trusted that the young man would conduct himself properly for the future.

Coming next to the remarks made by his right hon. Friend (Mr. Whiteside), he was also unable to perceive very clearly what his object was in bringing forward the unfortunate murder of Mr. Braddel in July last. That case came before the House on two or three occasions last year, when he had endeavoured to explain, he hoped satisfactorily, that everything had been done by the Government in order to discover the known perpetrator of that most audacious offence. But up to the present time, as his right hon. Friend had truly said, the criminal had escaped them. What had become of him they did not known. All kinds of reports had been current, and every attempt been made to mislead the Government and the police. The right hon. Gentleman had clearly narrated the circumstances under which this awful tragedy took place in the town of Tipperary in the afternoon of a market day. It would seem that some of the persons present had acted a cowardly part, and that Hayes, a rather powerful man, succeeded in effecting his escape to the country. The case had given the Irish Government great anxiety, and no stone had been left unturned to bring the criminal to justice. In regard to what had fallen from the hon. Member for Clonmel, (Mr. Bagwell) he would only say, that although fifteen minutes elapsed between the commission of the offence and the police receiving an intimation of it, no time was lost in having the country scoured in every direction in search of the perpetrator. In this case, as unfortunately sometimes happened, the people of the neighbourhood sided with the murderer, or at least would give the police no information; otherwise a clue might have been obtained to his whereabouts, and he might have been arrested. Immediately the police found that they could get nothing to put them upon his track, they telegraphed to all the towns and ports of Ireland, as well as to Liverpool and Glasgow, in order, if possible, to intercept his flight. Much stress had been laid on the whereabouts of Hayes. One assertion was that he had escaped from Berehaven, or that, not being able to take a passage in a ship, he returned; another that he escaped from Galway immediately after the murder; another that he was confined in a building underground somewhere in King's or Queen's County. These various statements had, of course, been made by interested parties for the purpose of misleading the Government; but he was bound to say that he did not think the police were at all to blame in the matter. The right hon. Gentleman had passed a just panegyric on their conduct. It was not only an admirable force, but it had very much contributed to the comparatively peaceful state of Ireland. He did not know what Baron Hughes might have said at Clonmel, but in the north and north-west the reports of the Judges had been most satisfactory. In some cases murderers did unhappily escape the powers of human justice, and this was one of those cases; Lord Norbury's murderer remained unknown to this day, although thousands of pounds had been offered for his discovery. In this country also the famous Road murder and the murder in Waterloo Road were still mysteries unsolved; and so in the case of Hayes, although a man most remarkable in stature and of very considerable age, he had managed, up to the present time, to elude apprehension. But he believed confidently that Hayes was not dead—that he was still somewhere concealed in Ireland, and although it was impossible to have any accurate data on the subject, the constabulary, on whom the right hon. Gentleman (Mr. Whiteside) had pronounced a eulogium, had yet hopes of finding him. Letters had been received from America stating that Hayes was there, but in the present state of that country it was impossible to get accurate information such as under other circumstances they might make available. With regard to the conduct of a policeman who had been dismissed by the Government because it was asserted that he saw Hayes on a particular day, and that he refused to arrest him, the facts were these:—Shortly after the murder two constables, named Costigan and Hughes, asserted on oath that they saw Hayes. Hughes would not himself arrest Hayes, when he said he could do so, and forbade Costigan, who volunteered to do so or to fetch assistance. These points were submitted to an inquiry on oath by the justices at Clonmel, and the finding of those justices was this: "We are of opinion that both the above charges are proved." But though they declared the charges against the constables proved, they gave no opinion as to whether Hughes acted prudently or otherwise; and therefore they left it to the Government to decide what course should be taken in regard to him. He had read the papers most attentively, and he had come to the conclusion that in the interest of the public Hughes had failed to do his duty, and that he should be dismissed; and dismissed he was. But it had since come out that he did not see Hayes. That, however, did not alter his view of the case, for Hughes swore that he saw him. He had acted on his sole authority because the Court declined to give an opinion, but he was quite sure that the public would say that he had acted rightly. Their military equipment had frequently been made a charge against the constabulary, but he should be very sorry to see any alteration in that respect. Their present armament and dress did not in the least interfere with the efficient performance of their duty. A report had just been received by the Government of a case in which a constable had been in pursuit for twenty miles across country, and yet his dagger and gun did not in the least encumber him, for he captured his man. Besides, his hon. Friend knew that in addition to the constabulary there was a force of detectives in every county of Ireland, who went silently and prudently about their business. If he had known the reports which had come to the Government within the last year, when the constabulary had rather hard times of it, the hon. Gentleman would not find fault with them. They were still taking active steps. Hundreds of men had been on foot solely for the purpose of discovering Hayes; and he might just mention, to show the extreme activity of the police, what had been done in the case of the murder of Mr. Fitzgerald. Two assassins were hired to shoot him; he was shot dead; nobody was present but the wife. The assassins shot their victim from behind a hedge, and ran off immediately. One was immediately brought to justice, and executed. The other was also brought to justice, and suffered the extreme penalty of the law; and only within the last few days the police had been able to trace the man who hired the two assassins; he was found guilty at the recent Limerick Assizes, and would suffer the extreme penalty of the law on the 15th of next month. He did not think, therefore, that the charge of inefficiency was well-founded because the police had not been able to bring the heinous criminal Hayes to justice.

Another Question had been put to him by his hon. Friend the Member for Londonderry, with reference to the Law of Marriage in Ireland. No one knew better than the right hon. Gentleman, who introduced a Bill last year for the purpose of assisting the Dissenters of Ireland, the difficulties of dealing with this subject. They all admitted that the Marriage Law of Ireland was in an unsatisfactory position. It was based, not on the civil rights of parties, but rather, as it were, on religious differences. That was a great objection, which certainly ought to be dealt with. They had in Ireland a state of things which it was very difficult to deal with. There was a law of marriage for Protestants, a law of marriage for Roman Catholics, another for Presbyterians, Quakers, and Jews. It was a complex system to treat in one uniform measure. There were at the present time three Bills before the House relating to the subject, which alone would prove the extreme difficulty of dealing with it. It was said that the Government should take up the subject, and he should be very glad to do so if he could perceive any prospect of dealing with it in a satisfactory manner, having regard to the conscientious scruples of persons of different religious persuasions. He, however, did not think that was possible at the present moment. His right hon. Friend opposite had failed to carry a Bill bearing his name, and not only that, but had violently attacked the hon. and learned Member for Belfast (Mr. Whiteside), whose name also was on the back of the Bill. [Mr. WHITESIDE : I made no violent attack.] He had heard the right hon. Gentleman differ from his hon. and learned Friend, particularly as to the hours of marriage. That was a very important point, and such differences showed the difficulty of dealing with the subject. He could only say, that if the Bill now before Parliament should fail, and he should continue in office, he would endeavour next Session to introduce a measure which would meet the wishes of all parties. He would not go into a history of the Marriage Laws in Ireland from the time of Henry VIII., which would occupy too much time, but would only remark that from that period until 1822, very severe restrictions had been imposed upon the Roman Catholics. Of late years there had been some modification, and it was very desirable to bring the whole system into harmonious action, but at the present moment the Government had no intention of dealing with the question.

ARMY CLOTHING.—OBSERVATIONS.

COLONEL DICKSON said, the system of police in Ireland was a most pernicious one. The right hon. Baronet had talked about certain cases of murder in England remaining undiscovered, but he seemed to forget that that state of things was the exception in England. As to the police in Ireland having been instrumental in the arrest of the murderers of Mr. Fitzgerald, he gave the statement the most unqualified contradiction. Having made that statement, he would turn to the subject which he had placed on the notice paper, which was to call the attention of the Secretary of State for War to the fact that the Clothing made up at the Factory at Pimlico was not subjected to the same inspection as that supplied by contract, and to other matters connected with that establishment. He did this in no hostility to the War Office, or in any hostility to the Clothing Establishment itself. He had, however, to protest against the gradual increase of the establishment, to the injury of the general trade in shutting out those great contracting establishments which had already done good service to the country. The expense of the establishment at Pimlico was not less than £70,000, or 13 per cent upon the value of the work produced, which was £560,000 last year. He had that day heard that it was intended that the establishment should supply the clothing to the Volunteers ; and if that were the case, the trade would be most seriously injured, while the cost of the establishment would be enormously increased. What he had to complain of was, that although they had an Inspector General of Clothing, he did not inspect it. He ought to inspect the clothing supplied by the Government manufactory, as well as that supplied by contractors. He had been informed that Mr. Tate, the contractor at Limerick, had in June last supplied 800 tunics for the 20th Regiment. He had himself taken one of those tunics to an army contractor, who had pronounced it to be the best soldier's tunic he had ever seen. When these tunics arrived at the Government Factory the shoulder-straps and buttons were cut off and placed on the tunics made in the factory, which were sent down to the regiment ; but they were there found so defective that the commanding officer had to apply to head-quarters for extra linen stuff to remedy the defects, and the matter was hushed up. What he contended for was, not that the Government should abolish its factories, but that a fair proportion of the work should be given out to be made by private firms.

SIR GEORGE LEWIS said, that the tender of the contractor in Limerick had been accepted this year, and his work approved. With respect to the Establishment in Pimlico, as the Vote for it had been passed, it would be useless to enter into details in defence of that Vote, but were it necessary to do so, he could show by figures that the effect of the maintenance of the establishment to which the hon. and gallant Gentleman (Colonel Dickson) objected, had been to reduce the price paid to contractors and to supply the troops with clothing at a cheaper rate and more advantageously than under the former system. It was a great establishment, principally for the purpose of inspection. A large part of the work was executed outside the establishment by persons in their own homes. He did not know how the hon. and gallant Gentleman made out that the establishment cost £70,000 per annum. The annual charge was only £8,400, but as much as £20,000 was appropriated this year for buildings.

COLONEL DUNNE said, that he concurred with his hon. and gallant Friend (Colonel Dickson) in thinking the Pimlico establishment an expensive one, but had no doubt that Colonel Daubeney's was a fair inspection.

DEFENCES AT YARMOUTH.

OBSERVATIONS.

SIR HENRY STRACEY said, that he had given notice of a Motion, stating it to be the opinion of the House that Yarmouth Roadstead should be fully protected from the attack of gunboats at sea, but he found that he could not move it now. He should therefore confine himself to calling attention to the subject. In consequence of representations made by the town in 1859 as to the defenceless state of the roadstead, the Secretary for War, the late Lord Herbert, had an inspection made by engineers and others competent to investigate the matter. They reported that there never was a port which required more defence. It was determined to erect three batteries, but only two had been constructed. In reply to an application made to the War Office in 1860, Lord de Grey and Ripon said the Government required a site for the remaining battery. A site was procured and paid for. There was then a delay, which was explained by the omission from the Estimates of any Vote for the works. On the 12th of December, 1862, the mayor of the town wrote to the War Office on the subject, and, in reply, was informed that his letter should be considered, but that Sir George Lewis did not propose to erect any works in Yarmouth "at present." The right hon. Gentleman, in a conversation, had stated that he was not so great a man for fortifications as his predecessor; but he might observe, that the opinion of Lord Herbert on fortifications was as good as that of most Secretaries of State, and perhaps as that of the right hon. Gentleman the present Secretary for War. His predecessor, the late Lord Herbert, had pledged himself that the work should be carried out; and, under all the circumstances, he hoped the Government would not commit a breach of faith in the matter.

SIR GEORGE LEWIS rose to reply, but was called to order, having once spoken.

SIR HENRY WILLOUGHBY begged to ask whether the Galway Contract would be laid on the table for a month before it was ratified, in accordance with the Resolution of the Select Committee, or whether the Government intended to treat it as an old contract which had not expired? The hon. Baronet begged to complain of the practice which had grown up lately of going into Committee on Friday nights. He did did not know whether the right hon. Baronet, Sir George Lewis, meant to go into Committee to-night, seeing that it was past ten o'clock, and there was barely a House; but it certainly was an abuse of the change made for the convenience of the Government when Thursday was made a Supply night. Formerly Friday night was, to a considerable extent, occupied by questions on the adjournment; and when the Thursday was made a Supply night, the Order of Supply was retained on the Papers on Friday, in order to give an opportunity for the usual miscellaneous discussion. To-night there were thirteen different topics on the paper for discussion, and no one could tell whether they would not consume the entire night. The consequence was, that hon. Gentlemen who took an interest in financial matters were perplexed what to do, and the House ran the risk of passing a number of important Votes without discussion, and of gaining a reputation of being neglectful of the public money. Last year 103 items, involving £5,000,000 of public money, had been passed through Committee after ten o'clock, and hon. Gentlemen who took an interest in financial matters did not know that Supply was coming on.

Main Question put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £321,884, be granted to Her Majesty, to defray the Charge of the Volunteers, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."

SIR GEORGE LEWIS said, in replying to the latter observations of Sir Henry Willoughby, with reference to going into Committee of Supply at this time of night, he had a distinct recollection that when the change was made from the former to the present practice, there was a clear understanding that the Government were to be at liberty to go into Supply on Friday, if the time of night permitted. The question then was, whether it was proper to go into Supply at ten o'clock at night. And he never heard it objected that it was not right to go into Supply at that time. In fact, it was usual to do so. With regard to the Volunteer Vote, there was an increase of £199,000 this year, owing to a proposal of Government, founded on the Report of the Royal Commission, recommending the increased grant which he now submitted. The opinion of that Commission was, that the Volunteer force had reached a stage at which a certain part of it would dissolve unless it received some subsidy from the country. He did not know whether that was in the shape of censure; but inasmuch as the force was supplied by the voluntary contributions and the volunteer services of members, it seemed natural that after a number of years the zeal which originally animated it should somewhat cool, and the expense be regarded as heavy. In 1801, when a former great Volunteer movement took place, the country came to the assistance of the Volunteers at a much earlier period, and to a much greater extent than at present. The plan of the Commission was that there should be a grant in aid of Volunteeer regiments to be calculated on the principle of a capitation charge; not that a sum should be paid to each individual, but that a sum, determined by the number of Volunteers, should be paid to the adjutant to be disbursed by him, and account for the same to the War Department. The proposed capitation was to all Volunteers, except the artillery Volunteers, 20*s.* per man who passed a certain scale of drill; another 10*s.* per man to those who passed a certain portion of musketry instruction; and 30*s.* per man to the artillery. The purposes to which these allowances were to be applied were head-quarters, drill-ground, care and repair of arms, cost of instruction, and cost and conveyance of clothing. And this was the only increased expenditure, on account of the Volunteers, in the Army Estimates for the year.

LORD LOVAINE said, that he thought the amount of the proposed Vote rather alarming. At first it was not imagined that any expense of the Volunteers would have to be defrayed by the country, except for arms and ammunition and staff serjeants. Well, the first grant was £88,000, the next £133,000, the next £172,000, and the present £321,000 odd. But were the Committee to grant sums of money to bodies of men who performed no service for the amount? We had it from high authority that in cases of public disturbance the Volunteers could not be brought out with arms; nay, more, that their presence was a positive source of danger. He had seen it stated that when a riot broke out in Birkenhead, so far from the Volunteers being able to stem it, they were, on being called out, obliged to take their rifles to pieces, and put the barrels on one side and the locks on the other, in order to prevent the mob from getting hold of them. He did not impugn the spirit and patriotism of the Volunteers, but in moving the reduction of the Vote he claimed the assistance of hon. Members below the gangway on the Ministerial side of the House; because they must admit either that the danger which called the Volunteers into existence still continued, and that it was therefore necessary to maintain them, or that the danger was past, and that the Volunteers must therefore be left to support themselves. They were going to spend upon the Volunteers more than the cost of the transport service of the regular army; and to cripple that service was to detain in India beyond the time for relief, and to shorten the life of, the regular soldier, who was worth more than the Volunteer. He moved that the Vote be reduced by the amount of the capitation grant, £154,579.

Motion made, and Question proposed,

"That a sum, not exceeding £267,308, be granted to Her Majesty, to defray the Charge of the Volunteers, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."

Mr. W. WILLIAMS said, that the noble Lord complained of the expenditure of £154,000 upon the Volunteer force, but he made no complaint of the expenditure of £14,000,000 upon the regular army. He thought that no one of the Votes which had been submitted to the House was more economical than this. But the real secret of the noble Lord's objection had crept out. The noble Lord thought that the Volunteer force was a dangerous one.

Lord LOVAINE said, that he had never considered the Volunteer force as dangerous.

Mr. W. WILLIAMS said, that no danger was to be apprehended from putting arms into the hands of the middle classes of the community. He hoped the Committee would not be led aside by the noble Lord from doing their duty towards the Volunteer body.

Colonel BARTTELOT said, that the question was, whether the Volunteer force was a useful body or not. He was one of the Royal Commissioners who had to consider this subject, and one of their inquiries was whether or not the Volunteer force was likely to dwindle away unless this Vote of money were made. The Commissioners thought that would be the case. They found, also, that there was no other way than this of getting a class of men to serve their country without pecuniary assistance. The Volunteers included in their ranks a body of men who would never volunteer into the ranks of the army, navy, or militia. He thought, if this money were voted, it would not be thrown away. At a comparatively small expense a most valuable supplementary force would be obtained to the regular service of the country.

Mr. HARVEY LEWIS said, that he agreed that this was one of the most economical Votes that had been proposed to this House. He thought nothing was more creditable to the Volunteers than that they came forward at the hour when they thought they might by possibility be required for the defence of their country, and then, when the danger was passed, they were ready to relinquish their military duties and return to their ordinary occupations. But the truth was the country had found the advantage of these men, and it would be most unwise to sacrifice a body whose fidelity to their country had been so conspicuous. He thought the Volunteers were a most reasonable class of men. They had given up their time, which to them was money, and more than money, because it involved the sacrifice of many comforts. He thought the Volunteers ought to get their uniform cloth at cost price, and he thought that such a grant would be received by the Volunteers with much gratitude. With regard to the adjutants, he would observe that there were 160 adjutants for the disembodied militia, being an average as compared with the number of men of 35½ per cent. The average of adjutants for the yeomanry cavalry was 20 per cent. For the Volunteer force he found there were 280 adjutants. He thought a less percentage of adjutant officers might be sufficient for the education of Volunteers, who were considered to be a class superior to the militia in point of intelligence and education.

Sir GEORGE BOWYER said, that the speech of the noble Lord (Lord Lovaine) would be received with unanimous dissent by all classes in this country. The Volunteers came forward at a moment of emergency, or supposed emergency, and he did not believe that the country would grudge the expense necessary to keep up so valuable a force in an efficient state. There was considerable advantage in keeping up the military spirit of the nation; and as the Volunteers contributed to this end, he thought they ought to be supported to a fair and reasonable extent.

Colonel DUNNE said, that things constantly happened in that House which occasioned much surprise. This evening they had had a discussion about the Galway subsidy of £78,000, and yet here was a proposal made with the greatest coolness for a grant of £160,000, or £1 ahead, to gentlemen for their patriotism. They talked of jobbery. What was jobbery? The hon. Member for Lambeth (Mr. Williams), said this patriotism was very cheap at the price. Well, he did not think that the Volunteers had any present military value. Dressing a man in a sheet of blotting-paper, carrying a dirty musket, and taking up four times as much ground as the regular troops, would not make a man a soldier; and he was sure the people of Ireland would laugh when they read how the House began with the discussion of the Galway subsidy, and ended with voting this money for the English Volunteers.

COLONEL NORTH begged to ask whether it was not worth £1 a head to instil military ideas into men who, in case of invasion, would admittedly be relied upon as soldiers. The bounty would not be received by the Volunteers themselves, but was mainly intended to overcome the difficulty of bringing members of administrative battalions together in rural districts—a difficulty which was exceedingly great when they had to travel thirty or forty miles to attend drill. Without discussing the amount of room required by a Volunteer battalion to move in, he maintained that the aptitude exhibited in learning their drill, and the precision with which their movements were executed, were astonishing, and it was impossible for any old soldier to refuse them his admiration. As to making them perfectly disciplined soldiers, that could only be done by the continuous discipline of the barrack yard; and if the amount of time requisite for that purpose were demanded at their hands, it would be necessary to pay, not £300,000, but £3,000,000. To the Volunteers their time was money, and he believed they cheerfully sacrificed as much of it as was consistent with their other engagements, for frequently the men were not their own masters. They were an honourable force, and one that it was a pleasure to command.

SIR JOHN SHELLEY said, that there had been no falling-off in the payments from enrolled members, but the public had ceased to give subscriptions as freely as they used to do. The question was whether it was worth while to pay the sum proposed in order to retain 150,000 men as part of the permanent defences of the country.

MR. DILLWYN said, that he was one of those who thought, that while we did not need any more soldiers for the purpose of aggression, we certainly for years required a force for defence. The Volunteers supplied that want, and were at once efficient and cheap; and that was the reason why they received the support of Gentlemen below the gangway.

MR. BUXTON said, that he was happy to say that in the battalion he commanded, consisting entirely of working men, there was as much zeal as ever. Since it had become known that the Government grant would enable the corps to reduce its expenses 170 recruits had joined its ranks. He felt grateful to the Government for having proposed a measure without which it would have been impossible for the force to keep together.

MR. JACKSON begged to state, that in the case of the riot, or rather row, referred to, which had occurred at Birkenhead between the Orangemen and the Roman Catholic mob, the Volunteers were not in a position to use their muskets, even if such a course had become necessary; they were acting as special constables merely, and an order was made by the magistrates, with the concurrence of Lieut.-Colonel King, that the nipples should be taken off for the purpose of rendering the muskets useless to either of the contending parties.

MR. ADDINGTON said, that he thought the efficiency of the Volunteer force was greatly exaggerated. There were not more than 50,000 thoroughly efficient Volunteers in the kingdom. The Volunteer force in the country districts fell far short of the efficiency which might be seen in the Volunteers of towns. It was incumbent on the Government to see that the money voted by Parliament was spent in making them really efficient.

SIR GEORGE LEWIS said, that he thought the objections which had been made to the Volunteer force and its efficiency had been satisfactorily answered. If it were assumed that the regular force available for the service of the country did not amount to much more than 40,000 bayonets, it was impossible to conceive a more efficient auxiliary body at a less expense than the Volunteer force. With regard to the number of the Volunteers, he had it on authentic information that there were on the muster-roll 157,000 men, of whom 138,000 might be considered effective.

LORD LOVAINE begged to explain that what he had said was, that the arms of the Volunteers were a source of danger. The Volunteers could not act as military men in case of riot; but if there were soldiers present, they could. He would not trouble the Committee to divide, but would merely enter his protest against what he considered an unnecessary piece of extravagance, and would leave it to those Gentlemen who were always anxious for economy with regard to the regular army to justify themselves in voting so large a sum for 170,000 men who were not soldiers in time of peace, and could only be converted into soldiers in time of war.

Amendment, by leave, *withdrawn.*

Vote *agreed to.*

(2.) £55,847, Enrolled Pensioners and Army Reserve.

COLONEL DUNNE begged to ask what was the nature of the latter body.

SIR GEORGE LEWIS said, the reserve force received a sort of retaining fee, and attended a certain number of drills in the year.

COLONEL NORTH said, that it was a very useful force.

In reply to Lord WILLIAM GRAHAM,

SIR GEORGE LEWIS said, that there was a stoppage from the soldier's pay for washing sheets. He was rather opposed to those small stoppages, but the present one involved a considerable sum in the aggregate, and did not press heavily on the individuals who paid it.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £956,365, be granted to Her Majesty, to defray the Charge of the Manufacturing Departments, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."

SIR GEORGE LEWIS said, that there was a large decrease under this head as compared with last year. A short time since the contract with the Elswick factory was terminated, in consequence of the inability of the Government to supply the company with a sufficient amount of orders to render the works profitable to the company. The diminution of orders was due to the fact that while the present ordnance experiments were going on, the Government did not like to proceed with the rapid manufacture of cannon. By the terms of their contract with the Elswick Company they were bound to make compensation if the works were not profitable, and under these circumstances they deemed it better to pay the forfeit and put an end to the contract. Sir W. Armstrong had thereupon resigned his post as head of the Ordnance Factory, because he wished to be perfectly free from all connection with the Government, and to devote himself entirely to the Elswick factory. This change would necessitate a revision of the existing arrangements in the Department, and an opportunity would be afforded of correcting certain abuses of the old system. It was a most important question whether the Government should maintain manufactories of its own or employ contractors. In discussing that question some confusion arose from the application of abstract principles of political economy to circumstances wherein some modification was required. In general, the Government could not employ contractors with advantage unless the article to be produced was one for which there was a natural demand, and which was required not merely by the Government but by the general public. Clothing, for instance, came under that category. In the case of iron ordnance, however, there was no general demand. No one wanted that commodity, except our own or perhaps a Foreign Government. The consequence was, that if a contractor undertook to supply the Government with guns, it was necessary to enter into a special contract, either to take a certain quantity of guns in the course of the year, or to advance a sum for plant and fixed expenses, or else in some other manner to maintain the contractor in his special manufacture. Thus a contractor, producing an article for which there was no general demand, became almost a Government manufacturer, and would scarcely be considered in the light of a free and independent contractor. On the other hand, articles like clothing, in proportion as they admitted of verification by inspection, might be supplied by private manufacture. There was an exception in the case of shoes, since soles might be filled up with an inferior article and might not be quite solid. The practice, therefore, was to cut up one or two pairs here and there to see if the soles were perfectly made. As a general rule, however, articles for which there was a natural demand, and which admitted of being verified by inspection, ought almost invariably to be supplied by contractors. Where, on the contrary, the article was one for which there was no natural demand, and one of which the Government were exclusive purchasers, and where also the inspection could not be verified, a Government factory was more economical and advantageous than a supply by contractors. If this principle were sound, the House would see that the Factory at Woolwich had not undergone any unjustifiable enlargement, and that the Government would be better supplied by its own factory in this instance than by employing contractors.

SIR HENRY WILLOUGHBY said, that the question raised by the Secretary at War was rather too important to be discussed at half past eleven at night. He had given notice of a Motion for reducing the grant to these Establishments, and should propose a small reduction in the present Vote to enable the Committee to consider the effect of the Government manufactures upon the public expenditure. He agreed in the principle that there were certain articles which it was desirable to produce by Government factories. But it was well Parliament should know how this source of Government expenditure was increasing. Previous to the amalgamation of the War Office with the Ordnance, this expenditure was very small. It had, however, gone on gradually increasing from about £15,000 in 1855, until it was now about £30,000. The present Vote was considerably reduced since last year, but there had been no reduction in the establishments. It appeared that Sir William Armstrong had wisely retired from a position inconsistent with his other pursuits, and his retirement left perfectly open the question of the reduction of the establishment with which that Gentleman had been connected. Did the right hon. Gentleman propose to appoint another person in his place; and, if so, on what terms? Were the Committee aware of the immense expenditure employed for wages and stores in the manufactories supplying the army and navy? During the last two years the items of wages and stores for the army and navy amounted to not less than £15,120,000. In the present year there was a considerable reduction in the stores, but no reduction in the establishments, and that was the point to which he wished to direct the attention of the Committee. If they meant to reduce the stores, they should act on the same principle, and reduce the establishments as well. The witnesses who gave their evidence before the Committee on Military Organization, and who were likely to form a sound opinion, thought this system of manufacturing had been carried too far. Sir Benjamin Hawes was in favour of relying more on private enterprise, and less on public establishments, and did not believe that the contract system had had a fair trial. The House had not the accounts of the store branches and the manufacturing branches before it. Without that information, and particularly without balance sheets, it was impossible for them to know what they were about when voting these large sums. Messrs. Anderson and Arbuthnot, well-known gentlemen, whose evidence was conclusive on matters of finance, stated that the system was entirely unsatisfactory in the store branch. The late Lord Herbert admitted that proper financial control was wanting; and there could be no doubt that the accounts were faulty and unsound both in the store and the manufacturing departments. Unless they took stock and knew the prices of the articles so as to be able to tell whether they cost more than those produced by private manufacturers, the basis of any correct system of accounts must be entirely wanting, and they must be left, on these points, as Mr. Anderson said, "very much in the dark." He did not wish to make any violent change, but a moderate limitation of these establishments. His complaint against the system was, that it did not give them the cost. He should like to know the expense of the artillery and gun factory for the last two years. The accounts were radically faulty, and the same remark applied to some extent to the gun-carriage department. But the foundation of the whole, the valuation of the store, was a perfect blank at the time when Captain Gordon gave his evidence. What he now proposed was that a small reduction should be made upon the sum of £35,871 for the nine establishments embraced within this Vote. He would therefore move that that amount be diminished by £2,000. At all events, before they were called upon to agree to this large Vote the right hon. Gentleman ought to afford them some explanations of the system carried on in these establishments.

Motion made, and Question proposed, "That the Item of £35,871 be reduced by the sum of £2,000."

Lord LOVAINE begged to ask for explanation respecting certain other details of the Vote.

Colonel DUNNE thought that the first thing the Government ought to do was to inform the country what amount of stores was necessary, and could be obtainable, in the event of war. There were certain articles which the Government could obtain much better from contractors than from their own factories. There were, however, some other articles which the Government could better manufacture than any other parties. Gun-carriages and guns, for example, could be better obtained from our Government arsenals than from the hands of contractors. But why should clothing be made by the Government factories? What was the use of sending articles, that came into the hands of the Government from all parts of the kingdom, to be tested at Pimlico? All these arrangements went far to swell the Estimates.

Sir JAMES FERGUSSON said, that he thought it impossible to pass the large Vote under consideration at that advanced period of the night. Nevertheless, he wished to say a few words upon the Vote for Warlike Stores, and to read extracts from the Evidence given before the Committee which sat on this subject, to show that it was more economical for the Government to manufacture for the public service than to obtain the necessary stores from contractors. He hoped the Committee would require from the right hon. Baronet (Sir George Grey) an explanation of his ominous words, "a new system of inspection," spoken of by him.

Sir GEORGE LEWIS said, that there were in the War Office audited accounts of each Department; and if the hon. Baronet (Sir James Fergusson) would move for them, they should be produced. He did not propose any increase of expenditure for inspection at Woolwich Arsenal.

To report Progress, and ask leave to sit again.

House *resumed.*

Resolutions to be reported on *Monday* next.

Committee also report Progress; to sit again on *Monday* next.

ROMAN CATHOLIC MARRIAGES REGISTRATION (IRELAND) BILL.

On Motion of *Mr. Butt,* Bill to permit the Registration of Roman Catholic Marriages in Ireland, *ordered* to be brought in by Mr. Butt and Sir George Bowyer.

Bill *presented,* and read 1°. [Bill 73].

OFFICE OF SECRETARY AT WAR ABOLITION BILL.

On Motion of *Sir George Lewis,* Bill to abolish the office of Secretary at War, and to transfer the duties of that office to one of Her Majesty's Principal Secretaries of State, *ordered* to be brought in by Sir George Lewis and The Judge Advocate.

Bill *presented,* and read 1°. [Bill 72].

OATHS RELIEF IN CRIMINAL PROCEEDINGS (SCOTLAND) BILL.

On Motion of *Mr. E. Craufurd,* Bill to give relief to Persons who may refuse or be unwilling, from alleged conscientious motives, to be sworn in Criminal Proceedings in Scotland, *ordered* to be brought in by Mr. Edward Craufurd, Mr. Crum-Ewing, and Mr. Baxter.

Bill *presented,* and read 1°. [Bill 74].

House adjourned at half after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, March 23, 1863.

Minutes.]—Public Bills—*First Reading*—Trustees (Scotland) Act Amendment (No. 53); Alkali Works Regulation (No. 55).

Committee—Illegitimate Children (Ireland) (No. 50); Consolidated Fund (£10,000,000) (No. 46).

Report—Salmon Exportation (No. 51); Consolidated Fund (£10,000,000) (No. 48).

UNITED STATES.
THE SOUTHERN CONFEDERACY.

Lord CAMPBELL, in rising to call attention to the question of acknowledging the Southern Confederacy as an independent Power, in concert with other neutral States, and to the Despatches of Mr. Mason, the Southern Envoy, on the subject, said: My Lords, although I know that no apology is requisite for calling the attention of the House to the papers for which I moved in August last, and which have lately been presented, I am anxious and impatient to point out the exact view with which the Motion is submitted to you. It is not in order to raise a question on the course which Government have taken as regards American affairs during the autumn. The question I propose is wholly seated in the future. The facts which lead to it are known and easy to recall to you. During the whole of the last Session France and Great Britain were alleged, and were believed to act together on the difficulties which the civil war gave rise to. Since then they have diverged, or rather in the memorable phrase of a noble Friend now absent from his place (Lord Clarendon), although their objects are the same, have seemed to drift from one another. In November we restrained the French Government in a course which they desired to take; in January the Emperor by himself pursued a second line of action, meant, like the first, to terminate hostilities. That line of action having failed, all thoughts of intervention, mediation, and remonstrance being exploded by the insolent reply of Mr. Seward, the Emperor being anxious still to close the war as he has proved himself, and having paid to the Government of Washington every debt of justice and of courtesy, the question of recognising the insurgent may at any moment come before us as the question of attempting to obtain an armistice was urged upon the country in November. Were it not that for some weeks past Poland has engaged the world, before now it might have reached us. As things stand, it would find us in the worst condition to receive it, without conviction one way or the other in either party of the State by the avowal of their leaders. A fatal error might arise not from a mistaken but a hesitating judgment. It is at such a moment, if ever, that Parliamentary debate is useful and admissible ; when of two opposite opinions on a question rapidly impending, neither can be said to prevail over the other, and no man on earth foresees by which our conduct will be guided. It is therefore to contribute to a practical result that I have given noble Lords the opportunity of speaking on America ; and it could not have been done in any other form, because a Resolution or Address to pledge the action of the Government would have justly been resisted, and its withdrawal or defeat would prejudice the 8,000,000 men whose claims are now before you.

The opinion I am anxious to maintain is that the divergence of France and Great Britain on America ought not to go further, but to cease ; and that when France invites us to acknowledge Southern independence, we should neither hold her back nor let her move alone, but on the contrary, act with her. And by acknowledgment, I mean the course of sending an Ambassador to the insurgent, or of receiving his Ambassador, or of engaging in a treaty with him, or of seeking *exequaturs* from him for the consuls in his territory. The first impression I should wish to combat very briefly is, that the acknowledgment by neutral States of Southern independence would have no practical effects and no important consequences. It seemed to be that of a noble Earl over the way, who lately held the Foreign seals, at the beginning of the Session. But if acknowledgment is wholly immaterial, why has the South continued to demand, and the North so long and pertinaciously endeavoured to avert it ? Why are Southern Envoys now in London and in Paris, and why was the Government of Washington prepared at every cost but that of war to intercept them ? Why have the Envoys, on arriving, made acknowledgment the simple object of their mission, and why has Mr. Seward sent to the different Powers a volume of despatches to resist it ? It has reached me from credible authorities that last year the planters began to grow cotton when acknowledgment was looked for, and ploughed it in when the hope expired. It happened in this manner. The planters viewed acknowledgment as the road to peace, and were ready to invest their capital in the ordinary way when that road was likely to be opened. And it may well occur to them as having such a tendency. From the Northern mind it would take away the hope which lingers yet of Southern subjugation. From the Government of Washington it would take away the power of describing eleven communities contending for their liberty as rebels. The people of America are influenced by phrases, and will not come to terms with what they have been hounded on to look at as rebellion. But they can see a fact when Europe blazons it before them, and they may be awakened by her judgment to the nature of the foreign war on which their treasure and their happiness are wasted. When Europe has acknowledged it, the independence of the South may be debated in the Senate and the House, where no one now can venture to advert to it. A probable result of such a measure, if pursued by France, Great Britain, and other neutral States together, is, that it would weaken in the Executive at Washington its borrowing ability, because their loans are founded on the chances of re-conquest; and re-conquest would then appear what it is, a shadow and a dream. And it would do so with good reason. Victorious already, animated then, the Southern armies would be doubly irresistible. They would not have, if they retain it now, the power to be vanquished. Another practical effect of recognition—the belligerents might then endeavour to negotiate, which it is clear they cannot do at present. A separate result would be to put an end to all the idle views of reconstruction and of union which are floating in America, and which serve to prolong the war, because they disincline the North to the only basis upon which the close of it is possible. A yet more serious result the measure promises is freedom to the Government of Washington from the necessity of hopeless war which weighs on it at present. As soon as Europe sanctions its retreat, the greater portion of its evils are annihilated. As long as Europe sanctions its attempt, to renounce it is to suffer an indignity which never fell upon a State engaged in war with insurrection since modern history opened its varied scenes to our notice. Noble Lords who recollect how, after it had lasted forty years, the civil war between Spain and Holland was influenced in 1607-9 by the diplomacy of France and England, may be led to think in what form the present struggle might adjust itself. But they will also see that the efforts of the two Powers would have been as vain as they were brilliant and successful, unless Europe had before acknowledged the insurgent. I will not dwell upon the instance. It must engage the study of every Minister or Sovereign who aspires to the lofty task of closing the hostilities before us. And if I, wanting power to go on, should do nothing more than point to it to-night, the Motion might not be a useless one.

If noble Lords are not entirely satisfied as to the practical effects which recognition tends to, let me refer them to the despatch of Mr. Mason to the Secretary of State, dated August 1, in No. 2 of the papers lately given. He treats the point with that knowledge of the country, and the war itself, which must give weight to his expessions. The next doctrine, which stands in the way of the conclusion to which I am pointing, is even more important to consider, because in this House it received a kind of sanction on February 5 from the noble Earl who leads the Opposition, and who had the manliness to state that in espousing it he differed from the mass of his supporters. It has been laid down that you should recognise insurgent Powers only when you are going to give material assistance to their cause, or when the civil war is over;—that neutrals should reserve their voice until arms have fallen from the weak and fainting hands of the belligerents. Whether or not such ought to be the principle, it is not, as examples show, that on which the Powers of either world have generally acted. So far from the cessation of hostilities preceding the acknowledgment of neutrals, the acknowledgment of neutrals has, in nearly every case, preceded the cessation of hostilities. In combating this tenet, no doubt the cases of Belgium, under Lord Grey, Greece under the Duke of Wellington, Holland under Queen Elizabeth, ought to be excluded, because, in all three, material support and diplomatic intercourse were blended. But the United States acknowledged Nicaragua, under Walker, before hostilities had ceased to menace the existence of his Government. They acknowledged the South American Republics rising against Spain before the effort to reduce them was exhausted. When Colonel Mann was sent by the Government of Washington to Hungary, in 1848-9, he was instructed to acknowledge the seceding kingdom, not when hostilities had ceased, but when its independence could be counted on; and he reserved the voice he was invested with, not because he was controlled by the presence of Austrian troops, but by the chances—and he reasoned well—of the insurgents being reconquered. He did not find a settled, but a migratory Government, which fled from post to post, instead of meeting the invaders at its capital. But if we pass to Europe, France acknowledged the United States revolting against England before Lord North renounced his efforts to subdue them. It is idle to assert that Lord North engaged in war on such a provocation. All who read the memorandum drawn up by Mr. Gibbon for the Government, and do not fancy themselves better versed than him in the opinions of the statesmen who instructed him, know that Lord North began war with France on a different provocation. And what if he did not? Is Lord North, after he had marred his reputation by a civil war which all the men who formed the glory of that epoch denounced as wicked and demented, to be held up as a master of public law, and an oracle on international proceedings? Is the Minister of the day, no matter what may be his character, or what may be his errors, *virtute officii* an heir to the authority of Bynkershoek or Grotius? So much for France. Great Britain was tardy in acknowledging the South American republics. But that tardiness was reprobated by a brilliant and enlightened Opposition, of which the noble Lord the Secretary of State was not an inconsiderable ornament. And that tardiness was partially imposed by a generous regard for Spain, invaded as she was in 1823. It was justified, moreover, by the hazard of breaking with the great allies with whom, long after 1815, we had been acting, to whom, in 1823, France had become subservient, and who viewed the cause of the South American republics with aversion. My noble Friend the President of the Council, well versed in the career of Mr. Canning, at that time the Foreign Secretary, cannot have forgotten, that in that particular transaction to acknowledge the insurgents was to brave the greater portion of the world; that the despotic Powers made it almost a personal affair; that neither public law nor abstract rules, but special facts, and policy and prudence, at once delayed and fixed the hour of acknowledgment. The next and last example I shall give will make me independent of the others I have mentioned. It surpasses all the rest in magnitude and clearness; it tallies with the question now before the world in nearly every point, and it is one in which not a single State but Europe may be said herself to have delivered—and that in times far more monarchical, and therefore more averse to revolution than our own—a judgment on the question of acknowledgment. Great Britain, France, Sweden, Holland, all formed treaties with Portugal, seceding from the rule of Spain in 1641, a year after the Duke and Duchess of Braganza had proclaimed its independence, a quarter of a century before the Crown of Spain resolved to acquiesce in it. At that time Prussia had not come into existence as a State. Russia had not begun to mingle in the politics of Europe. Austria was attached to Spain by ties of family, and therefore the four recognising States may be fairly said to have composed a general tribunal of the Continent. So far from having ceased, the Spanish effort to reconquer by intrigue, conspiracies, and arms went on till after 1665, with a variety of fortune. The Duchess of Braganza, who became Regent, and on whose fortitude and judgment the success of the insurgents hung—as indeed her spirit and ascendancy had been the mainspring of the enterprise—employed the celebrated Schomberg as a general. Don John of Austria led the Spanish armies against Portugal. The battle of Villa Vicosa took away at last the hopes of the invaders. The war lingered on. In 1668, Spain and Portugal negotiated peace with one another. Was Europe acting then, in 1641, against the principles which ought to have directed her? Is there anything in Grotius, Bynkershoek, Vattel, Von Martens, Wheaton, to condemn her? It was an obvious duty upon my part to examine all these writers on the question of acknowledgment. But it is not a duty to inflict quotations on your Lordships. The references are with me here, and they will be at the command of any Member who desires them. A shorter method will enable me to show that the authorities agree in holding the power to maintain its independence—not the close of efforts to subdue it—to be the condition upon which a neutral may acknowledge an insurgent. Sir James Mackintosh, in a celebrated speech of 1824 upon the South American Republics, insists with glowing approbation on the case of Portugal, which I have brought under the notice of your Lordships. He does not question, but applauds the conduct of the recognising Powers. He does not hold it up to be avoided as an error, but, on the contrary, to be regarded as a brilliant lesson in his day. And your Lordships well know that Sir James Mackintosh was the disciple, the exponent, the successor, and the equal of the great men who have moulded public law into a science. You well know that what he sanctions they have sanctioned, and that when he unreservedly subscribes to what Europe did in 1641, Europe must have acted on their principle. What is it? The principle appears to be that the hazard of re-conquest is the only bar to acknowledgment when such a measure is likely to accelerate a peace and benefit the country which extends it. Should the insurgents yield after the acknowledgment of neutrals, their judgment is rebuked, their action vain, and they have given useless umbrage to the Power ultimately dominant. But it is not correct, according to the law of nations and the history of the world, to aver that the struggle must be over; the last army routed; the last shilling spent; the last drop of blood exhausted by the combatants. And it is not consistent with humanity. The vocation of acknowledgment is rather to preserve than to destroy, and by diplomacy to give a quicker passage to the end, which the long and sanguinary road of arms would ultimately point to. When you cannot advise the older State to presevere, when you denounce its efforts, and when you prophesy its failure; and when you cannot recommend the younger State to yield, what can be more irrational or cruel than to prolong hostilities between them? But by the reservation of acknowledgment you do prolong hostilities between them. The effort to re-conquer has never been renounced, and scarcely ever been supended, until neutrals had acknowledged the insurgent, from the civil war between Switzerland and Austria in the Middle Ages down to that which stagnates at this moment. And such a general result is what the plainest reason would have led us to anticipate. While neutrals countenance his hopes, is the invading Power likely to recede from them? Can he proclaim, without suggestion, his defeat? Can he embrace, without authority, his own humiliation? Can he assure bystanders he has sunk, while they by silence loudly tell him he may rally? It is not therefore easy to defend the conduct of a neutral who indirectly calls out for battles, and imposes expeditions, with a foregone conclusion that they must be useless for their purpose. But it is said, may you acknowledge an insurgent destined to succeed, while hostile armies are encamped in portions of his territory? My Lords, if you may not, you should withdraw your representatives from any country which becomes the seat of war. We ought, at least, to have withdrawn our minister from Spain in 1823, when France, unfortunately, marched without resistance on its capital. In accordance, therefore, with experience, authorities, and reason, I submit to this House—you may acknowledge the insurgent as soon as no doubt remains upon the issue of the struggle.

And is the issue doubtful? The capitalists of London, Frankfort, Paris, Amsterdam, arenot of that opinion. Within the last few days the Southern loan has reached the highest place in our market. £3,000,000 were required, £9,000,000 were subscribed for. The loan is based upon the security of cotton; and it has been well known for a twelvemonth that as far as the invaders march, that security must perish. But what is the opinion of military men upon the issue? The Emperor of the French, having been brought up as a soldier—having given a long life to military science, and having recently commanded the greatest armies of the day at Solferino and Magenta—in the despatch of November last did not conceal from the Government of Washington that subjugation was impossible. The Princes of the House of Orleans, who served with General M'Clellan, are thought to have inspired the excellent account of the campaign which appeared on October 15 in the *Revue des Deux Mondes*, and which has also tended to disperse the vision of re-conquest. To the same scale of judgment General Scott appears, by recent revelations, to contribute. And this, too, is remarkable. Not one military person in the North is known to view re-conquest as attainable. Neither General M'Clellan, Burnside, Rosencranz, M'Dowell, Halleck, or Buell, have ever publicly declared, so far as it has reached us, that the object of the Government they serve under is feasible. The ignominious task of prophesying triumph has been wisely left to the voluminous despatch writer, who, whatever his accomplishments, or merits, is no more qualified to judge the issue of campaigns than he is to guide the movements of battalions. But, after all, it may be granted in the abstract, that reconquest is attainable. To genius nothing is denied. The only question it becomes the neutral Powers to consider is, can it be attained by Mr. Lincoln and his colleagues? It is by Mr. Lincoln and his colleagues, if at all, the South is to be conquered. There is not any person in their armies, such as Britain proudly watched in the Peninsula, able to control a Government behind, and overwhelm an enemy in front of him. If there was, they would recall him. It is therefore necessary to inquire what proof of its ability has this aggressive Cabinet developed. Is it in its choice of expeditions or of viceroys? Is it in appointing, superseding, or replacing the commanders it must lean on? Is it in their firm adherence to a principle? At one time they were opposed to the invasion they have plunged into. Is it in their conduct about slavery? At one time they boasted of their disposition to maintain it. Soon after, they desired the Border States to be delivered from it. After that emancipation was declared, but only in the States which were resisting them. The loyal region might preserve the institution—but seceders must renounce it. It ought to flourish where they reign—but not to stand beyond the limits of their sovereignty. But next, a bankrupt treasury would buy it by an outlay equal to the public debt of our country. But, after all, a servile war was indispensable, and so were armies to enforce it. A servile war, however, was proclaimed. The proclamation cannot be considered as unprecedented. The model was before them. Lord of Nature, as he deemed himself, Xerxes ordered lashes to be given to the waves. Swelling with omnipotence, Mr. Lincoln and his colleagues dictate insurrection to the slaves of Alabama. Are these the movements of a Government by which the broken fragments of the Union can be welded, a mighty Continent subdued, 8,000,000 free men braced into a unit, robbed of home, of honour, and of liberty? But who are they arrayed against? The House ought not, indeed, to join in the encomiums on the Southern President, which heat and sympathy have prompted. As no one was deemed happy by the ancients until his life had closed, no one will be stamped as great by us until his enterprise has triumphed. But so much may be hazarded of this extraordinary person that, gifted amply by nature, he has made the union of political and military excellence his object; and that, as far as Europe has observed, in the midst of danger and of care such as few men have the power to imagine, fewer to sustain, he has exhibited the patience and the enterprise, the ardour and the coolness, the heroism and urbanity, from which it generally happens that nations draw their birth and civil wars accept their destination. And this is most important to remember. If we look back to such conjunctures we do not find an instance in which mind, character, capacity have yielded to the want of all, no matter how well sustained the latter as regards forces, numbers, and revenue. The Roman Commonwealth, in spite of territory, population, armies, and resources, was destroyed from wanting any mind by which the mind of Cæsar could be balanced and encountered. Holland was lost to Spain when the Prince of Orange and Prince Maurice were superior to all the viceroys and the captains the mother country could oppose to them. Her South American dependencies were gone when she had no opponent of Bolivar. Your Lordships do not want to go back to the enlightened page of Davila or Sully to remind you that the civil wars of France, after ever kind of knot and of vicissitude, all closed in the pre-eminence of Henry IV.; in head and heart the master of his epoch. The Carlists had not any match for Espartero. The Sardinians had not any equal of Radetzky. The same lesson is impressed on us by the unfortunate collision of Washington and George III., of Charles I. and Cromwell. It is true, indeed, that history need not repeat itself, and that events are neither bound by theories or precedents. But such experience at least may forcibly suggest to us, that had Southern subjugation belonged to the decrees of fate, an instrument more powerful than that of Mr. Lincoln and his colleagues would be seen conducing to the sentence. It is not going beyond the bounds of caution to allege that a new chapter will be opened in the annals of mankind, if on this unrivalled scene the qualities which they regard with scorn are found triumphant over those which they agree to follow and to reverence. But, last of all, if Mr. Lincoln and his colleagues could succeed against the leader and the armies which oppose them, could they succeed against their own consciousness—revealed to us by many signs—of incapacity to do so?

If noble Lords agree, therefore, with the financial world, with military men, and with the Government of Washington itself, that the issue is not doubtful, and if therefore Great Britain has the right to acknowledge Southern independence, why ought she to exercise it? The first answer is:—Because honour calls on her to do so, and it rests on a detail which may be rapidly presented to your Lordships. British Consuls have remained during the war at Mobile, Charleston, and Savannah. They are there for the protection of our subjects, who reside by thousands on the seaboard. In times like these their presence is essential. Were it not for Consuls to identify them, the severe enlistment laws of the Confederacy might at any time descend on our people; or in the sudden turns of war their goods might be destroyed without a clue to ownership or means of compensation. They are also there to witness the blockade, and to report upon its efficacy. And these Consuls draw their *exequaturs* from the Government of Washington. They are a standing derogation to the Power which receives, which shelters, and endures them. We are not inclined to withdraw them. We ought, therefore, to accredit them to the insurgent who permits them to reside. And if we do, he is acknowledged. Honour forbids nations, as it does men, to run up a score of gratitude themselves, and to create a score of just resentment, in its object; to offer insult at the moment they are profiting by favour. In one sense alone do the Confederacy gain by the arrangement. We give them all the grandeur of forbearance. They allow our Consuls to reside, and we withhold the recognition which public law entitles them to ask of us. But is not our aspect, with regard to them, a poor one? We deny their rights over their territory, and yet at their hands receive the safety of our citizens. The Southern Congress is about to entertain the question of any longer tolerating our Consuls in this attitude. And what will be the situation of Great Britain if led by-and-by to do by interest and by convenience, what self-respect, and pride and justice dictate at this moment.

The neutrality we vaunt is the next consideration, which, if fairly viewed, would lead Great Britain to the course I have adverted to. The noble Lord the Secretary of State, in his despatch to Mr. Mason, dated August 2, has pointed out that the great controversy on the right to secede, so long and frequently debated in America, cannot be resolved by foreign Governments. It is not for them to decide between the arguments of Webster and Colhoun. They ought rather to reserve their judgment, considering the balance of the argument and the intricacy of the circumstances, than to pronounce in favour of secession or against it. But by withholding recognition when the issue no longer seems to be a doubtful one, when the danger of re-conquest is not the restraining fact, Great Britain does pronounce against the title to secede, does stamp the Southern movement as illegal, does therefore part with the neutrality which orders silence on that question. On what other ground is she refusing to acknowledge? And let your Lordships mark that by acknowledgment you do not for a moment stamp with your authority the claims of the insurgent—you give no verdict in his favour. If you did, the history of the world would have to be re-written. If you did, this country would never have been able to acknowledge the Revolutionary Government of France in February, 1848, which derived its short-lived power from neither throne, nor law, nor parliament, nor people—flung up by the delirium of Paris to sink at once with its repose, and no more to be regarded as the legal rulers of the country than the men in livery who cross the stage to take away the furniture between two acts of an eventful drama which absorbs us can be mistaken for the heroes of the scene or owners of the theatre. Acknowledgment is not a tribute, therefore, to the rights of the insurgents. But when the hazard of re-conquest is dismissed, it is a tribute to the rights of the invader—to withhold it. We are now declaring on the question of a title to secede on which the noble Lord himself, on which neutrality forbids us to be umpires. But even if it did not, the Confederacy, as Mr. Davis in his recent message has perspicuously explained, have suffered wrongs—although not meant to injure—from Great Britain. Our Government—however conscientiously—held back the Emperor of the French from a proposal which might have eminently served them. With the best intentions and designs they refused to allow the despatch of Mr. Mason on acknowledgment in August, for over six months, to reach the eye and judgment of the country. By denying our harbours to both sides when both might have had access to them—no doubt from a laudable desire of tranquillity—it has compelled the Southerners to burn their prizes on the waters, has thus destroyed their chance of raising privateers, and vastly limited their powers of self-defence against the country which invades them. After inducing the Confederacy, by a transaction which I described a year ago, to pledge itself to the observance of certain rules laid down at Paris in 1856, the British Government has not been ready to maintain them in the vital point that blockades must be effective to be binding. But illustrations of the kind may be dismissed. Partiality to the United States has been avowed in a despatch of March 27, 1862, from the noble Lord to Mr. Adams, and which the Government of Washington have brought before the world in page 62 of the volume they have recently distributed. In resisting the extortionate demands which Mr. Adams had addressed to him, and which, indeed, he manfully exposes, the noble Lord, as a set-off to his austerity, declares that allowance has been made for the difficulties which the United States had to contend with in the war; and that public law has been liberally interpreted in their favour. The book is here if noble Lords desire to refer to it. Allowance has been made for the difficulties of the United States in a war which both humanity and policy forbad, and which their own aggressive faithlessness created. Public law has been interpreted, and liberally, in favour of a Government which supports the infamous M'Neil, lays waste the houses of distinguished adversaries in Virginia; which ruins havens in Savannah and in Charleston; which is ready to let loose 4,000,000 negroes on their compulsory owners; and to renew from sea to sea the horrors and the crimes of St. Domingo. But let it be so. I did not come here to impugn the decisions of the noble Lord. He is not called upon to vindicate them.

I mention these unfavourable actions to the South, without a view to censure of the Government. The only inference I draw is, that if neutrality directs us, they require an instant course of reparation and of balance. Acknowledgment is the only form in which Great Britain can propose, or in which the injured Power is willing to accept it.

But I will not build up an argument, sufficient as it stands, and go on to the next consideration, which demands (and loudly) such a measure. It is our own security in Canada. A noble Earl who gained his laurels in the East, well pointed out to us last Session, that whenever the war closed Canada would be endangered. If victorious, the Northern States might attack it in the drunkenness of pride ; if defeated, in the bitterness of failure. Some men, out of doors have been so infatuated as to hold that by carefully abstaining from anything which gives umbrage to the United States, we should defend it. As if aggressive Powers had ever been restrained, by wanting pretexts, from the wars they were inclined to. The security of Canada is quickly seen by your Lordships to reside in one circumstance alone—the danger of attacking it. That danger will at least be greater when the Southern Power is friendly to Great Britain than when it is estranged, inasmuch as the aggressive State will then have to contemplate the chance of an attack upon his rear as well as the bombardment of his cities and destruction of his commerce. No doubt, Canada is safe while the civil war continues ; but we are neither able nor entitled to prolong it for her safety. The civil war may close after the acknowledgment of Southern independence by the Emperor, although Great Britain has not shared that manifesto. We may not be able much longer to keep back the virtue and humanity, as well as all the interests, the fears, and wants which tend to force the measure upon Europe. From the moment separation was inevitable, no statesman could be blind to our want of an ally on the other side of the Atlantic. The United States can never possibly become one, not only because they are embittered, or because our interests are clashing, or because our institutions are repugnant, or because a rivalry is forced upon us in manufactures, and in ships, but because no alliance has ever yet occurred between the mother country and the Power who had violently broken from it. The friendly disposition of the South is therefore necessary to us. It is attainable. And if we wantonly forego it, if we allow the war to close before we have acknowledged, both the separated Powers being irrevocably hostile to us, we may be forced, now to guard Canada from one, now the West Indies from the other. Our diplomatists, moreover, would have no influence or voice in the Confederacy, whether they attempted to soften the resentments which the war had left behind it, to gain legitimate advantages in trade, to deprecate aggressive views, or to improve the situation of the negro. But on this point noble Lords who have been our representatives abroad have the materials of thinking far more strongly than myself in the direction I have pointed to.

Dismissing policy, I need touch but briefly on the moral obligation to acknowledge, because, on grounds already stated, it applies generally to the case of neutrals and insurgents, when the hazard of re-conquest is exhausted. It arises from the circumstance adverted to before, that in the civil wars of Europe, since the time of Charles V. (and to these may be added that of the Swiss cantons and the House of Austria in the middle ages), the acknowledgment of neutrals has preceded the conclusion of hostilities ; and while that preface is withheld, that close is not to be anticipated. It is only requisite to glance at the special circumstances which enhance an abstract duty as regards Great Britain and the war which is before us. The first and most striking is the Lancashire distress, which is not likely to pass off until cotton falls in price, and rises in abundance. And that can hardly be expected to occur until the war is over. No man, conversant with political economy, supposes that cotton crops will start into existence in other portions of the world, while an avalanche of 4,000,000 bales impends upon the market from America. But that it does so, our Consuls in the South, Mr. Bunch and Mr. Molyneux, have recently informed us in public letters, known to all the trading world. The impression that the price will be depressed during the existence of the war is strengthened by what has fallen from Mr. Bazley, Mr. Bright, Mr. Mangles, and Mr. Laing, the highest practical authorities, who have all addressed the public on the topic. Another special circumstance is, that the present war—waged between descendants of Great Britain—appears to be unequalled in the records of the annalist, or the conceptions of the poet, for the masses exposed to death, the area through which the carnage is extended, the amount of families divided and bereaved, the bitter and relentless passions which exasperate the combatants. Beyond this, the Government of Washington are more incapable of making peace spontaneously than any other which has ever grappled with insurgents, considering the pledges they have made, the debts they have incurred, the hosts they have annihilated. As well might you require a man to perform a useful amputation on himself against the influence of others, as expect that Mr. Lincoln and his colleagues can terminate the war against the South, whilst Europe still excludes it from the family of nations. The duty to give the strife a possibility of closing, is immensely heightened by the fact that they appear to be pursuing it in the midst of well-founded despair, and under a necessity which only neutrals can annihilate. That they are doing so will appear to those who watch the tone of Mr. Greeley in *The New York Tribune,* who observe the desperate expedient of enlisting negro regiments, and who reflect that West Virginia would be useless as a State unless the two belligerents were separated. But let any one recall the past, and reason for a moment on this question. Would Mr. Lincoln and his colleagues have embarked upon the war had they foreseen the tenor of its history? If, on the eve of crossing the Potomac, a higher Power had revealed to them the panorama of disaster and disgrace which they were doomed to bring upon their country; the panic of Bull Run; the scared and broken columns falling into Washington; the long and dreary autumn of paralysis which followed; the victories which took away the hope of any Southern party for the Union, and which as loudly as defeats proclaimed the madness of their enterprise; the cotton blazing on the Mississippi as they reached it; the capture of New Orleans without a practical result beyond the indignation of the world at the revolting tyranny which held it; had they caught a glimpse of the engagements which drove General M'Clellan to his gunboats—the scions of a Royal house partaking his confusion—and seen the tide of war rolled back upon their territory, and then another host sent out to dissolve itself, to put an end to the anxiety of Richmond, and to perform the tragedy of Fredericksburg; and, last of all, had they been able to forecast, with eighteen vessels hot in their pursuit, the Southern cruisers roaming on the sea triumphant and implacable;—would they have been deaf to the commissioners in the spring of 1861? would they have scorned a peace? would they have sent their expedition to Fort Sumter? would they have trampled on the law to plunge into hostilities? Then, are they not reluctantly pursuing them without a choice, till neutrals have acknowledged the insurgent? Shall Europe any longer chain them to the effort? Or, rather, when the Emperor desires to release, ought we to keep them inert and helpless victims on the lake of fire their blunders have created?

My Lords, these grand considerations of honour, of neutrality, of policy, and duty, would lead the people of the country to require an acknowledgment of Southern independence, were it not for the delusions as to slavery, which for a month or two have been promoted, and which, unless I am enabled to confront, I should seem, perhaps, to have avoided. To confront is to expose them. And the shortest method which occurs to me, is at once to drive these puny agitators to an issue. They have deceived the working classes of the country by confounding questions about slavery, which ought not to be discussed, with the only one which it behoves the British public to consider. We may go on eternally debating whether the desire to extend and to preserve it was at the bottom of secession; whether the desire to abridge or to eradicate it was at the bottom of invasion. These points, involving the recesses of the human heart, are little known even in America. History may discuss: Omniscience only can determine them. And it is idle mockery to force them on a mass of operatives, divided by 3,000 miles from any clue to the inquiry. The legitimate, the only issue is (and they will not venture to deny it), whether separation or reconquest will be most conducive to the welfare of the negro; the prosperity of Africa, and the attainment of the objects which have long engaged the Buxtons, and the Wilberforces, and other admirable men who scorn to be connected with this diminutive machinery for prolonging war on one side of the ocean, by spreading fiction on the other. We should therefore trace, and it is quickly done, the natural results of the alternatives. In the event of separation, there will no longer be the possibility of extending negro bondage into territories in which it does not now exist. Already it is settled in New Mexico. And no boundary you can well conceive will give the Southern States uncultivated land beyond that Northern limit. In the event of separation, the North will not return the negro fugitives who cross over its border. And the planter must retain them, not by law and terror, but by judgment and humanity. There will be a premium on benevolence, a penalty on inattention and injustice, which has not heretofore existed. Slaves will be contented, or escape. Under the Union they found a prison in a continent. In the event of separation, the whole question of black labour may be impartially considered by the Southerners. Whereas, during the last decade the violence of the Northern Abolitionists had fixed the system, had inflamed into a point of honour, or a passion, the opinions against which they were crusaders. In what manner would re-conquest operate upon the negro? A servile war would be its melancholy preface, in which murder confronts the slave and rapine the proprietor. In such a conflict, many blacks must be exterminated, and nearly all the higher classes driven from the country. The dismantled houses and the confiscated fields become the property of Northerners. The conquerors at once discover that the soil is worthless unless the labour of the black may be applied to it. The negroes who survive, demoralized and scattered, will not be all of them recaptured; and if they were, would be inadequate in number to the purpose. How are the new proprietors, desiring wealth and jealous of sterility, to find the labour which is wanting to them? Africa is open. Africa contains the millions they are seeking. The flag of the United States before now has unfortunately been a shelter to the slave trade. The want of the United States may prove its resurrection in America. And this, too, is unanswerable. During the last few years, while the Union went on undivided, the efforts of Great Britain on the subject were defeated. As soon as ever the civil war divided it, the Government of Washington conceded the right of search; while their organs insolently told us that it would be withdrawn as soon as Southern subjugation was accomplished. After this, what man can be so mad as to declare that the friends of Africa and of her race ought to concur with the invaders and advance pleas in their behalf, which they themselves have not the forehead to resort to?

Lord Campbell

The only further sentiment which in the event of other neutrals being prepared might indispose the country to acknowledgment is a lingering idea that the cause of freedom is involved in the retention of the Union. It is just therefore to inquire for whose advantage it would come again into existence. We have seen it would not be for that of Africa or of the negro. It could not be for that of the seceders, as the miseries of New Orleans have explained, where that rule has been established, and those terrors have been felt, which would then apply to all the cities of their territory. Who says they ought not to perish rather than submit to a yoke more bitter and degrading than was ever known yet in Warsaw or in Venice? But language shrinks from such a topic. Then, would it be restored for the advantage of the North? At least they can only gain their object, if it is attainable, through the medium of a general who, when he had attained it, must rank among the highest conquerors — with Cæsar, Charlemagne, Napoleon. Would such a character be likely to resign his arms to Mr. Lincoln and his colleagues? What temptation could he have to conduct so derogatory and to sacrifice so thankless? It was thought by many that General M'Clellan at the time of his dismissal might have turned his regiments on the capital with safety. And there were not wanting those who loudly censured his forbearance. In this war there has been no fact more pregnant and instructive than the disposition, in spite of his reverses, to exalt him. For many months a halo has surrounded his inaction. Would the army then refuse to follow one who had performed marvels instead of shrinking before obstacles; who had given them the plunder of the south instead of leading them through hardships and privations to their starting-point; who had won affection, not by his designs and his retreats, but by his actions and his progress; whose title rested on the fact, not that Baltimore was safe, but that Montgomery had fallen. A tide of arguments would rush into the mind of such a general, to dissuade him from surrendering his power to institutions so discredited, so trampled on, and so remote from those which Washington bequeathed, as he would find subsisting in his country? But the impulse from within would be exceeded by the pressure from without. In a sickened and disorganized society which only pants for rule, he would not choose but be coerced into the part of a dictator. And is it for a despotism that the people of the North are pouring out their blood, and tarnishing their glory? Already it exists. It had its birth in war, and it would take its immortality from conquest. Then, would the Union be restored for the advantage of the world? What country would be safer? Would Brazil? What country would be freer? Would Poland gain when the only patron of the Czar recovered his original dimensions? At first, indeed—for facts will ever guide the calculation of your Lordships—the necessity of Southern garrisons might tend to keep them in repose. But in a few years—they do not labour to conceal it from us—a power more rapacious, more unprincipled, more arrogant, more selfish and encroaching, would arise than has ever yet increased the outlay, multiplied the fears, and compromised the general tranquillity of Europe. And on this overgrown, on this portentous form of tyranny and egotism, many countries would depend for the material of that important industry which languishes at present.

My Lords, the latter point might be explained by statistics I have with me. But it will hardly be impugned, and it is more important to remind you that not much more than five years have elapsed since France and Great Britain were united to withstand a Power which overshadowed and assailed the general security of nations. To gain their object it was requisite to interrupt a peace of forty years, and squander noble lives upon the trenches and the battle-field. In order now to reach equivalent results and parallel advantages, they are required not to lavish, but to save; not to arm battalions, but disperse them; not to open conflict in the world, but snatch an hemisphere from misery. What in Russia wanted toil, outlay, unmeasured risks, and endless combinations, for aught we know may be accomplished by a fiat in America. And the presence of a noble Duke on the bench (the Duke of Newcastle) might have suggested to me, that there are some inherent evils in the partnership of arms which have not any place in the alliance of diplomacy. The initiative will belong to France. But if it did not, should Great Britain be ashamed of it? Whoever contemplates habitually her place or aspect on the globe, will sometimes think that it imposes a double task on her career to urge on civilization from its Eastern cradle to its Western home, and also as the firm and watching outpost of the sea, to stand between the older Powers and the evils which the other side of the Atlantic may occasionally threaten. Long has she fulfilled the first, and nobly may she now sustain the second part of the vocation which belongs to her. And if it suits the dignity of empire to compass large results by trifling exertions—instead of wasting giant means upon invisible achievements—the day will be a proud one, when in a voice which Europe has re-echoed her message rolls over the waters to guard the freedom of the Old World, and limit, if not arrest, the sorrows of the New. But whether we resolve to lead or hesitate to follow, whether we retard, or join, or suffer isolation from the continent, I shall be indebted to your Lordships for permitting me to show to-night, that the neutral Powers have at once the right and duty to acknowledge the Confederacy, and that according to the only lights their rulers are possessed of until that measure is adopted, the war can never end.

EARL RUSSELL: My Lords, I suppose there is no Member of either House of Parliament who does not wish for the termination of the civil war in America. It disturbs commerce, it puts to hazard the peace of the world, and it afflicts America herself; and if anything could be usefully, and, I must add, justly done to bring that war to a termination, I repeat there is no Member of either House of Parliament, and no person in the country, who would not gladly see such a consummation. But, after having listened to my noble Friend, I must confess I remain in the same persuasion as before at the present moment—and I speak only of the present moment—that there is nothing this country could do usefully and wisely which would tend to the termination of the hostilities on the other side of the Atlantic. My noble Friend has somewhat mixed different topics, and he has alluded to three different modes of intervention of States in the affairs of other countries. One—which is the *minimum* of interference—that of advice, good offices, and mediation; another, the mode proposed by my noble Friend to-night, that of recognition; and the third, one which we have sometimes resorted to, and which other nations have more frequently had recourse to—that of forcible intervention. My noble Friend says, and says truly, that since I had the honour of addressing the House last summer there has been some divergence between the views on this subject of the Government of this country and that of the Emperor of the French. The Government of the Emperor of the French conceives that it might tend to the termination of the war if three Powers—France, Great Britain, and Russia—were to propose a suspension of hostilities with a view of negotiation between the two belligerents. Her Majesty's Government, after carefully examining that proposition, came to the conclusion that its adoption by us would not be likely to lead to its acceptance by the Government of the United States of America; while, if that should be the case, by causing irritation, it would not increase but diminish the chances of our seeing a termination of the contest. The French Government has since proceeded in accordance with its views, and has actually proposed to the Government of the United States to negotiate with the Southern States. That proposition has not been adopted; and I think your Lordships will judge from what has happened with reference to the proposals of France, and with reference to suggestions thrown out in other countries, that this policy of good officers and mediation is not, at the present moment, likely to tend to promote peace, but rather to provoke measures of opposition; and thus the reproach would be cast upon this country that we had aggravated the evils of the present lamentable state of affairs in America. It does not appear, at the present moment, that this contest would be likely to be terminated by an offer of our good offices. I say at the present moment, because it is impossible to say that in the course of events a time may not come when both the contending parties would be desirous of the good offices or wise counsels of friendly Powers. I do not see any probability of that at this moment, but I wish to guard myself against being supposed to speak positively of the future. We come, then, to the course proposed by my noble Friend—namely, that of recognition. My noble Friend alluded to several cases—not very happy illustrations of his argument, I think—in which the United States of America have recognised insurgent countries which they believed likely to be able to maintain their independence. One was the revolted State of Hungary, whose independence had ceased to appear—it had sunk like the island in the Mediterranean—had disappeared before the despatch reached Vienna by which the United States recognised it. Another instance referred to by my noble Friend scarcely comes within the category of recognition, though it has been quoted by a gentleman who has written some very able letters under the title of "Historicus,"—I mean the recognition of the United States themselves by France, two years after the war with this country, in 1772, had begun. If any one will examine that precedent, and the important documents which have lately come to light, he will see that the French monarchy of the day had for some years—most unfortunately for itself—been exciting democratic passions in America, and had been endeavouring to raise opposition there to the Government of Great Britain. It had prepared means of concert with these States; and even in the letter, so courteous in appearance, but so exceedingly hostile and bitter in its spirit, written by the French Ambassador at the Court of St. James's, it was stated that the French Government had not only made a treaty of commerce with the United States, which they had already recognised, but further, that they had a right to carry that treaty into effect, if necessary, even by force. This was a threat to take part in the war between Great Britain and her revolted colonies. But we know, that besides this open threat, there was a secret treaty signed, by which France pledged herself to lend her support to the revolted provinces; and the Government and the Opposition of this country, which was then as decided as ever any Opposition was, agreed that the threat was one of war, and that by war only could it be met. This, therefore, was not a case of recognition, but a case of interference. It was, I think, a most unjustifiable interference—an interference for the purpose of spreading those democratic principles, which afterwards reacted on France, and produced so many excesses and crimes during the Revolution. Well, then, with regard to the other cases to which my noble Friend has alluded, those of Portugal and Holland were cases of forcible intervention. There is hardly more than one case in which the question was limited to simple recognition—that was the war carried on between Spain and her revolted colonies, which went on from 1808 to 1822 or 1823 without any proposal for a recognition. This case is one worthy of the attention of your Lordships, because it was illustrated by the mild wisdom of Lord Lansdowne, by the profound research of Sir James

Mackintosh, and by the dazzling genius of Canning. We have therefore, upon this question of recognition, as much light as can possibly be thrown upon any subject. Now, I beg to refer your Lordships to the words of Lord Lansdowne. He was zealous for the recognition of the South American Provinces; he thought it would be a great advantage to this country to recognise them, and he was entirely free from any trammels of office, or any obligation to consult the interests of the Minister of the day. But, with that wisdom and forbearance which characterized every act of his public life, he stated, "The first point to consider is whether you have the right;" and he went on thus—

> "It will be my duty this night to point out to your Lordships the great advantages which may result from the establishment of South American independence. I hope I shall never stand up in this House to recommend your Lordships to adopt any course of policy inconsistent with those principles of right which are paramount to all expediency, and which compose that great law of nations any departure from which, to answer a selfish and ambitious policy, never fails to recoil upon its authors." [2 *Hansard*, x. 973.]

These are words upon which this House may well reflect; and we may well consider upon what grounds Lord Lansdowne founded the views which I have just brought under the notice of your Lordships. In the first place, he stated it was necessary that a country which required to be recognised should have established its independence. In the next place, that it should be able to maintain that independence for the future. And lastly, that it should be able to carry on with all foreign nations those relations of peace and amity which form the general international law of the world. Now, examine the state of the revolted provinces of Spain at that time, as Sir James Mackintosh and Mr. Canning did. We find that the greater part of South America had been some twelve or fourteen years entirely free from the presence of Spanish armies. We find that with regard to those provinces in which that was not absolutely the case—namely, Mexico, where Vera Cruz alone was occupied by a Spanish garrison, and Peru, where there were 4,000 or 5,000 Spanish troops, although the cause of Spain seemed hopeless—it was agreed that their recognition should be deferred; and that only in the case of Buenos Ayres, and those parts of South America which had clearly and for a number of years established their independence, would it be right for Great Britain to proceed to the step of recognition. Besides this, Mr. Canning took care to inform the Spanish Minister that such recognition would not be very long delayed; that if the Spanish Government wished to recognise them, they ought to take that step, and that Great Britain was willing to give time before proceeding to recognise them herself. Well, here is a great precedent for our consideration—here is a step taken by the Government of the day after considerable care and examination; here is a course recommended by the Opposition of the day—not in any harsh spirit, but notwithstanding the conviction which this country generally entertained that the cause of Spain was hopeless, and that the independence of those provinces was firmly established. Well, now, if we look to the present position of North America, and compare it with that of the States of which Lord Lansdowne spoke, we find that the war in North America is still carried on with the utmost vigour—I had almost said with the utmost fury. We find some of those provinces which were the first to proclaim their independence—a great part of Louisiana, New Orleans, and the banks of the Mississippi, occupied by the Federal armies. There are very considerable Federal armies menacing cities of the Confederation, such as Charleston and Savannah. So that no man can say it is a case of hopeless war. For my own part, and speaking according to my limited vision, I do not believe those efforts of the Federals will be successful. No man can say that the North will subdue the South; but no man can say that the war is finally over, or that the independence of the Southern States is established. Well, then, what is the present state of the case? Although great efforts have been made in vain, the great Federal Republic seems unwilling to accept the decision of events. So far from it, we find the last acts of the Congress which has just expired are to place, by conscription, every man fit to carry arms at the disposal of the President of the United States, and to vote sums of money amounting to no less than £180,000,000 sterling for the purpose of carrying on the war. Then, in this state of affairs I should say, that looking to the question of right, it would not be a friendly act towards the United States, it would not be to fulfil our obligations to a country with which we have long maintained relations of peace and amity—a great country which says it can still carry on the war—it would, I say, be a failure of friendship on our part if at this moment we were to interpose and recognise the Southern States. I have endeavoured to guard myself by saying that I speak now with reference to the present aspect of affairs. I hardly know any moment in which my noble Friend could have brought forward his Motion with less encouragement from events. It may turn out that these immense efforts which are being made by the Federal Government shall be made in vain; that the spirit of the South is unconquerable as their determination never to be united again with the Northern States is final and irrevocable; and that a time may come when the duty of this country will be totally different from what it is at the present moment. All that may be the case—all I maintain is, that it is our duty at present to stand still and not to proceed to an act so definite, so positive—an act so unfriendly to the United States as the recognition of the South. My noble Friend spoke of various topics—of danger of Canada being attacked by the Northern Republic, and of the West Indies being attacked by the Southern. My Lords, I cannot follow my noble Friend into these suppositions. I do not venture to say what may be the future course of events. I confine myself to that which I think to be our duty now, which I think is right; and if that be so, we must be content in future days to meet with future dangers, and it will not enfeeble our arms if we have it in our power to reflect that we have never failed in our obligations to those which have been great States in peace and amity with us, and that it has not been through any fault of ours that a great affliction has fallen on them. Well, my Lords, I know not that there is anything in what my noble Friend has said to-night which would make it necessary for me to go much further into this question; but at the same time there were allusions in parts of his speech to former occasions and former instances of interference on our part, as if my noble Friend and some of those who looked forward to his Motion to-night expected that there should be some interference on our part in this war. Now, my Lords, I wish to say only a few words upon that which we have done in former days by way of intervention. We, too, like other States, though not so often as some, have at times taken upon us to intervene. We interfered in the case of Holland to save her from the religious tyranny and political despotism of Philip II. That contest was hallowed by the blood of Sir Philip Sydney, and by the part we took we contributed to her independence. In another case—the case of Portugal—we interfered. Charles I., Cromwell, and Charles II., all agreed in that interference. We declared ourselves ready to send 10,000 men to the aid of the new Government of Portugal, and we helped the Portuguese to relieve themselves from the Spanish tyranny under which they groaned, and to establish the independence of their State. In more recent times, when Greece endeavoured to establish her independence, we aided her in her contest with Turkey; we rescued her from the destruction which threatened her, and helped her to found a free and independent monarchy. Take the case of Belgium again. When the Belgians declared that they were unable to remain under the Government of Holland, in accordance with the Treaty of Vienna, we interfered by force, in conjunction with France; and the wise and happy arrangement was made by which the freedom of Belgium was secured. Now, my Lords, in all these instances, whether the intervention was carried on by our ancestors or in our own times, there is nothing of which an Englishman need be ashamed. If we have taken part in interventions, it has been in behalf of the independence, freedom, and welfare of a great portion of mankind. I should be sorry, indeed, if there should be any intervention on the part of this country which could bear another character. I trust that this will not be the case, and that no interests, deeply as they may affect us—interests which imply the well-being of a great portion of our people, but interests which may affect also the freedom and happiness of other parts of the globe—will induce us to set an example different from that of our ancestors; but that when we feel ourselves bound to interfere—and may it be seldom—it will be an interference in the cause of liberty and to promote the freedom of mankind, as we have hitherto done in these cases. It is with this conviction that I have addressed these few remarks as to what has been done by this country in former days; and I trust that with regard to this civil war in America we may be able to continue our impartial and neutral course. Depend upon it, my Lords, that if that war is to cease, it is far better it should cease by a conviction, both on the part of the North and the South, that they can never live again happily as one community and one republic, than that the termination of hostilities should be brought about by the advice, the mediation, or the interference of any European Power. I repeat, I have spoken only of the duty of the Government at the present time, and I trust that there will now be no further debate on this subject.

SALMON EXPORTATION BILL—[No. 51.]

REPORT.

Amendments *reported* (according to Order).

Clause 3 (Prohibition of Export of Salmon at certain Times).

The Earl of DALHOUSIE moved to omit the words—

> "No unclean or unseasonable Salmon and no Salmon caught during the Time at which the Sale thereof is prohibited in the District where it is caught, shall be exported or entered for Exportation from any Part of the United Kingdom to Parts beyond Seas,"

for the purpose of inserting other words, the effect of which would be to prohibit the importation of salmon from abroad during the close season.

Lord STANLEY of ALDERLEY opposed the Amendment.

The Earl of MALMESBURY supported it.

On Question, Whether the words proposed to be omitted shall stand part of the Clause? their Lordships *divided*:—Contents 8; Not-Contents 6: Majority 2.

CONTENTS.

Newcastle, D.
Somerset, D.
Granville, E.
St. Germans, E.

Torrington, V.
Foley, L. [*Teller.*]
Harris, L.
Stanley of Alderley, L. [*Teller.*]

NOT-CONTENTS.

Malmesbury, E.
Powis, E.
Eversley, V.

Colville of Culross, L. [*Teller.*]
Panmure, L. (*E. Dalhousie.*) [*Teller.*]
Redesdale, L.

RAILWAY THROUGH GREENWICH PARK.—QUESTION.

Viscount TORRINGTON called the attention of the House to the London, Chatham, and Dover Railway Bill (No. 1) and its proposed interference with the Greenwich Park and the Observatory at Greenwich; and asked the First Lord of the Admiralty, Whether they have made a Report upon the Bill to the Board of trade, and, if so, moved that such Report be laid on the table of the House.

The Duke of SOMERSET said, the Admiralty had written to the Board of Trade, forwarding a Report which had been received from the Astronomer Royal in reference to the Bill referred to by the noble Viscount. It was pointed out by the Astronomer Royal that the proposed course of the railway lay within 1,000 feet of the Observatory; that if its course passed above ground the concussion of the air thereby produced would be very injurious to any observations which might be taken; but that danger was, of course, much lessened by the fact that trains would pass through a tunnel at that point. At the distance of 1,000 feet he was not sure that it would do any harm at all. It was proposed that experiments should be made during the Easter recess near railroads already in existence, for the purpose of discovering what effect would be produced by the subterraneous passage of trains upon astronomical instruments placed within 1,000 feet; and having thus gained information with regard to the extent of the tremor of the earth, he should, if necessary, move an instruction to the Committee to whom the Bill would be referred after Easter. He should be sorry to interfere unnecessarily with a railway in which a large number of the inhabitants of Greenwich took a great interest; and, on the other hand, it was necessary to see that no damage resulted from works in connection with any private enterprise to an institution so valuable as Greenwich Observatory.

TRUSTEES (SCOTLAND) ACT AMENDMENT BILL.

Brought from the Commons, and read 1^a. (No. 53.)

ALKALI WORKS REGULATION BILL [H.L.]

A Bill for the Regulation of Alkali Works—Was *presented* by The Lord Stanley of Alderley, and read 1^a. (No. 55.)

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 23, 1863.

MINUTES.]—SUPPLY—ARMY ESTIMATES—*considered* in Committee; Resolutions (March 20) *reported.*

PUBLIC BILLS—*Second Reading*—Vaccination (Ireland) [Bill 70], *Debate adjourned.*

Committee—Marine Mutiny; Telegraphs [Bill 57].

Consid. as amended—Tobacco Duties [Bill 66].

Third Reading—Mutiny; and *passed.*

Bill withdrawn—Education of Factory Children [Bill 28].

THE RIVER SHANNON.—QUESTION.

COLONEL FRENCH said, he wished to ask the Secretary to the Treasury, When Mr. Bateman's Report on the state of the River Shannon is to be laid before the House?

MR. PEEL said, in reply, that Mr. Bateman's Report upon the state of the Shannon had not yet been delivered, and that it was probable some time would elapse before it was ready. When it was sent in, it would, of course, be laid on the table.

SERJEANT MAJOR LILLEY, OF THE INNISKILLEN DRAGOONS.

QUESTION.

CAPTAIN ARCHDALL said, he would beg to ask the Secretary of State for War, Whether the attention of the War Department or of his Royal Highness the Commander-in-Chief, has been called to a recent Court Martial held on the Paymaster of the Inniskillen Dragoons, and to the remarks of the Commander-in-Chief in India on the proceedings of said Court Martial, and on the state of the Regiment; also to certain allegations which have been made in the public press and elsewhere as to the confinement in close arrest and death of Regimental Serjeant Major Lilley, of the above Regiment; whether any inquiry has taken place, and what has been the result of such inquiry? He would further beg to inquire whether the Secretary for War was in possession of any information respecting the remarks of Sir Hugh Rose, when in command, upon the discipline, efficiency, and soldier-like conduct of the Inniskillen Dragoons, and whether a statement has not been made to the effect that the death of Serjeant Major Lilley was attributable to an excess of ardent spirits rather than to the severity of his confinement?

SIR GEORGE LEWIS, in reply, said, the attention of his Royal Highness the Commander-in-Chief and of the War Department had been directed to the case in question. A full Report from India had been called for, and he understood it had lately been received at the Horse Guards. The matter was still under consideration, and no decision had been come to at present.

MR. SCARLETT AND THE GREEKS.

EXPLANATION.

MR. BAILLIE COCHRANE: Sir, I hope the House will allow me to express the regret with which I learn that my remarks the other evening were misunderstood by some of Mr. Scarlett's friends. So far from reflecting on his conduct, I may venture to say that, under great difficulties and with the most ambiguous instructions, no Minister could have acted with greater ability, judgment, and discretion; and, while I retract nothing from my criticisms on Lord Russell's policy, I am still happy to be able to add that it is the opinion of the Greek gentlemen with whom I have been in constant communication that Mr. Scarlett and Mr. Elliot, by their wise and prudent counsels, gave a great support to the admirable attitude of the Greek nation throughout these trying circumstances.

THE CAPITATION GRANT TO THE VOLUNTEER FORCE.—QUESTION.

CAPTAIN GRAY said, he wished to ask, Whether the conditions of the proposed Capitation Grant will be soon laid before the House?

SIR GEORGE LEWIS said, that the regulations under which the Capitation Grant to the Volunteers would be distributed were in a forward state, and would very shortly be laid before the House.

NEUTRAL RIGHTS.—QUESTION.

MR. SEYMOUR FITZGERALD said, he would beg to ask the noble Lord at the head of the Government, If Her Majesty's Government have accepted, or are prepared to accept the proposal stated by President Lincoln in his annual Message to have been made to them by his direction, and which he understood was made as far back as October last, respecting the establishment of a Convention between this country and the Government of the United States, in order to examine and adjust complaints of the violation of Neutral rights.

Viscount **PALMERSTON**: Sir, communications have passed between the two Governments in relation to a Convention on this subject. Her Majesty's Government have no objection in principle to such an arrangement, but difficulties have arisen in regard to details. Those difficulties are not yet removed; but I am not without hopes that the two Governments may ultimately come to an understanding on the matter.

THE FINANCIAL STATEMENT.—NOTICE.

The **CHANCELLOR** of the **EXCHEQUER** gave notice that he should submit his Financial Statement to the House on Thursday, the 16th of April, that being the second Government day after the recess, and it not being the usage to place any important business on the paper the first night after the re-assembling of Parliament. He also begged to give notice that in the event of the Report on the Tobacco Duties Bill being received that night without opposition, he should tomorrow move that it be read a third time at half past four, in order that it might at once be taken up to the House of Lords, so that the trade might be relieved from suspense as soon as possible.

ASSURANCES REGISTRATION (IRELAND) BILL—[Bill 46.]—NOTICE.

Sir **ROBERT PEEL** said, he should not move the second reading of this Bill that evening.

Mr. **WHITESIDE**: Does the hon. Baronet intend to bring on the Bill before Easter?

Sir **ROBERT PEEL**: No; after Easter I shall bring it on.

Mr. **WHITESIDE**: After the Budget?

Sir **ROBERT PEEL**: No.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POLAND—THE TREATY OF VIENNA.

QUESTION.

Mr. **HENNESSY** said, he rose to ask a Question of the First Lord of the Treasury as to the nature of the obligations with respect to Poland involved in the Treaty of Vienna. It was now rather more than three weeks since the House had, in the course of debate, pronounced its opinion on the state of affairs in Poland. On that occasion certain general pledges were given by the noble Lord, as to the policy which the Government intended to pursue; and the House exercised considerable forebearance in not pressing the Government for immediate explanations on the subject. The time had now, however, come when they were entitled to ask the Government what they were doing. Since the debate on this question, events in Poland had made great progress. The intelligence of the recent defeat of General Langiewicz had been construed by the English press into a serious blow to the Polish cause; but he thought he could show that the event by no means deserved the importance which had been attributed to it. The area of the insurrection in Poland was now three times as extensive as it was when he had the honour of directing attention to the subject; and in estimating the defeat of General Langiewicz it was neccessary to bear in mind the nature of his position. General Langiewicz had just crossed the Austrian frontier, and held command in the south-west corner of Poland, and at no time did his operations extend beyond an irregular circle of from forty to fifty miles radius, or a total area of some 1,600 square miles. From General Langiewicz's head-quarters, as straight as a bird could fly, to Bar, in the east of Poland, where the largest number of insurgents was assembled, was a distance of 500 miles. Kiew was 200 miles further to the east. Again, from Skala to Konin was 200 miles. From Bar to Pinsk, in the north, was 250 miles, and to Vilno 500 miles. Polotsk, on the frontier of Lithuania, was 600 miles to the east of Konin. The meaning of those figures was, that while the Polish general, commanding an area of less than 1,600 square miles, had suffered defeat, the insurrection itself, which reigned over about 50,000 square miles, had been extending its area day by day. If the gravity of the rising were to be estimated by the numbers that took part in it, the result would be no less striking. And with regard to Polish affairs generally, he would take the liberty of cautioning the House against placing too implicit reliance upon the details daily furnished by the telegrams of the numbers of Poles disarmed, captured, or slain. There was a remarkable coincidence in two telegraphic despatches which were published in the leading journal of that day. One was dated Warsaw, March 20, and stated that Sokol, the Polish general in the north, was attacked by the Russians and defeated, with the loss of 400 killed and fifty-four taken prisoners. The other was from the Russian Embassy, and set forth that General Langiewicz, in the south had been defeated with exactly the same loss of 400 killed and fifty-four taken prisoners. Such a coincidence was certainly to be accepted as a warning against accepting too readily the statements which came —as he presumed this had done—through the Russian Embassy at Paris. So far from thinking that the defeat of the nominal commander-in-chief—and Langiewicz was no more, for there were fifty independent commanders in different parts of Poland, as perhaps under the circumstances was best for the cause—so far from thinking that the defeat of the nominal commander-in-chief involved the loss of the struggle, he believed that there was no ground whatever for discouragement. He had received information that a landed proprietor who had property worth £80,000 or £100,000 a year, which would be confiscated if the attempt failed, had joined the insurgents. So had a nobleman whose name was well known in England—Count Zamoyski; and so, in fact, was every one doing of character and position that cared for his country. So far from being disheartened by the news just received, he regarded it simply as an indication of the desire of the Russians to get hold of the nominal commander-in-chief—a desire, of course, which was easily gratified, owing to the small number of men under Langiewicz; but he could not believe that the loss of a single feather from the wing of the Polish eagle would seriously affect its flight. Neither did he see that there was any reason, in the actual state of things, for the hope which had been expressed in a leading journal that the Czar would make those benevolent concessions to a defeated people which the editor seemed to think the present was a fitting occasion to offer. With reference to the details of the recent debate, he (Mr. Hennessy) might remind the House that the question he desired to bring before the House was, whether under existing circumstances England had not a moral obligation resting upon her to interfere in the cause of Poland. It was admitted by the noble Viscount at the head of the Government that England had a right, under the Treaty of Vienna, to interfere; but if Russia violated that treaty to the injury of the Poles and to the danger of the peace of Europe, he asked the noble Lord whether to the bare legal treaty right there was not superadded a moral obligation arising from Lord Castlereagh and the Duke of Wellington having signed the treaty avowedly for the purpose of protecting the Poles and preserving the peace and security of Europe? What was the language used by diplomatists in dealing with this question? He knew of no diplomatist who was more worthy of attention than the noble Viscount himself; for though speaking in this House he had done what he did not think was often the case with the noble Lord—made use of expressions which were not perfectly accurate; yet in the despatches relating to the affairs of Poland, which were written in 1831 and 1832, but which were not published until 1861, he found that the word "obligations" was used very often, not only by the British Ambassador at St. Petersburg and by Count Nesselrode, the Russian Minister, but by the noble Lord himself. Writing on the 13th of April, 1831, to the noble Lord, who was then at the head of the Foreign Office, Lord Heytesbury said—

> "Upon the receipt of your Lordship's despatch of the 22d March, I thought it advisable not to lose any time in informing Count Nesselrode of the nature of the instructions I had received, and in touching upon the several points to which my attention was directed. This I did in the order in which they stood in your Lordship's despatch, beginning with the obligations imposed upon us by the Treaty of Vienna, and the necessity in which England, as well as France, was placed, to watch over the progress of the war in Poland, and to remonstrate in the event of any measures being adopted on its conclusion at variance with existing engagements."

A despatch addressed by the noble Viscount to Lord Heytesbury, dated November 3, contained the following passage:—

> "The war being now over, and the authority of the Emperor as King being completely re-established in Poland, the time is come when His Majesty feels himself justified, both by his friendship for the Emperor of Russia and by the duty resulting from the obligations which he has contracted under the Treaty of Vienna, in addressing to His Imperial Majesty, in the most amicable tone, and with the deference which is due to his rights as an independent Sovereign, some observations as to the best mode of re-settling the kingdom of Poland under the dominion of the Emperor, on principles accordant with those on which its union with the Imperial Crown of Russia was originally formed, and in such a manner as may be most conducive to its future good government and tranquillity."

Here, then, we found the noble Lord repeating the phrase formerly used by Lord Heytesbury—the "obligations" imposed upon England by the Treaty of Vienna. Count Nesselrode answered this despatch at great length, and seemed to think that the several parties to the Treaty of Vienna did not incur the same obligations—for instance, that though Russia might have incurred obligations under the treaty, England had not done so; to this the noble Lord very fairly replied as follows:—

> "It is hoped that upon reflection the Russian Government cannot fail to see all the inconvenient and dangerous consequences which would flow from thus establishing different degrees of obligation among the Powers who have equally signed a general treaty."

When the hon. and gallant Member for Westminster (Sir De Lacy Evans) in 1831 called attention to the affairs of Poland, the noble Lord said the Government were prepared to fulfil the "obligations" which England had contracted under the Treaty of Vienna, but he refused to tell what they were doing or to publish the papers. There could be no doubt, therefore, according to the noble Lord himself, that a moral obligation was contracted under that treaty, and that it was the duty of England to interfere, of course by diplomatic action and in concert with the other Powers, on behalf of Poland. It was an important fact that throughout the whole history of English diplomacy in regard to Poland the noble Lord had always refused to act in concert with the other Powers. He refused in 1831, when solicited by France to address a joint note to Russia—and here it might be remarked, in passing, that in his despatch asking for the co-operation of England the French Minister spoke of the Poles having the "guarantee" of the Treaty of Vienna. We now knew that at the time of the Crimean war the same overture for joint action in regard to Poland was made to England by France, and was again rejected by the noble Lord at the head of the Government. Now, for a third time the noble Lord had the case of Poland in his hands; and the House would probably like to know whether the French Government had solicited the co-operation of England in diplomacy; and, if so, whether its request had been refused. In a recent remarkable speech delivered in the French Senate, M. Billault reviewed the policy of the noble Lord in 1831, and denounced "many words and little actions" as a mode of treatment which should no longer be applied to Poland. That was in fact exactly what the noble Lord's policy in regard to Poland had actually been, and he was glad that M. Billault had publicly condemned it. The speech of the Imperial Minister was said, on the highest authority, to be an accurate interpretation of the policy of the Emperor. M. Billault had, moreover, thrown out a hint which was of great importance — he had hinted that a Congress might be necessary to settle the question of Poland. Were they to believe that the word "Congress" would have been used in M. Billault's speech if it were not considered a matter of serious importance? He would certainly not have ventured to do so if the Emperor was not prepared to recommend such a measure. He should like to know from the noble Lord whether an application had been made to him to address a joint note to Russia with regard to Poland, and whether, if that had been refused, the noble Lord was prepared to reiterate the old exploded argument which he used in 1831, when he declined a similar proposal—namely, that he relied on the benevolent intentions of the Czar? He (Mr. Hennessy) had no faith in the "benevolent intentions" of the Czar. The Czar himself told Count Zamoyski that his future policy in Poland would be one of terror and extermination; and certainly he had kept his word as far as he was able. If the noble Lord praised the Czar and the Grand Duke Constantine in the language held in that House not long ago, the impression would be created that our Government had attempted in 1863 to repeat the course it took in 1831. But he (Mr. Hennessy) ventured to say that the people of this country would be sorry to hear that the Prime Minister was about to follow his old policy—a policy which in his opinion was a mean policy, unsuited to the position of England, and most dangerous also to Europe. If France were left to take up this question by herself, the balance of power and the peace of Europe might be jeopardized. These evils would be averted only by a joint action between the two Powers. If France went alone into this matter, there might possibly be "a rectification of frontiers." On that, which was the lowest ground, the noble Lord ought to be cautious how he refused to co-operate with the French

Government. He begged, therefore, to ask the noble Lord whether it was his opinion that no moral obligation existed on the part of England with regard to the stipulations of the Treaty of Vienna affecting Poland?

VISCOUNT PALMERSTON: Sir, the hon. and learned Gentleman gave notice of a very short and simple Question, but he did not give notice of his intention to go into a dissertation as to the relative prospects of the Russian army, and of the Poles who are acting in resistance to that army. I shall not follow him through that dissertation, nor say anything that will imply any opinion as to the probable results and termination of that contest. Everybody has equal means of judging for himself. When, on a former occasion, the hon. and learned Gentleman mooted the question of the obligations resulting from the Treaty of Vienna, I understood him, as I think the House must have done, to imply that there was in that treaty an obligation upon Great Britain to make war—to interfere forcibly in the affairs of Poland. My answer was, that there is no such obligation. There is a right if she thinks fit to exercise it; but there is no engagement entered into by Great Britain in that treaty which imposes on her the obligation of interfering, by force of arms, to give effect to her interpretation of the articles of that instrument. To that interpretation I entirely and completely adhere. I maintain that it is a just exposition of the effect of the treaty. I said, that where a treaty between different Powers does not contain an express stipulation guaranteeing, on the part of any or all of the Powers, any particular arrangement established by the treaty, there is a right on the part of each contracting party to enforce the arrangement if it thinks the object within its means of doing so; but there is no obligation, unless there is a specific stipulation such as I have named. But the hon. and learned Member now entirely shifts his ground and talks of a moral obligation. But instead of it being a moral obligation to interfere by force of arms, by the quotation he has made from a despatch of mine to Lord Heytesbury he shows that the interposition, which I then contended we were under an obligation to make, was one of a totally different kind from that which he urged on a former evening. What is the despatch which the hon. and learned Member quotes? It is a despatch in which I said that the insurrection being over, and the Russian Government having re-established its authority in Poland, Her Majesty's Government, in fulfilment of the engagement contracted by them under the Treaty of Vienna, proceeded to represent in friendly terms to the Emperor of Russia considerations as to the arrangements he should make on the restoration of tranquillity in Poland. Well, that is a very different obligation from that which I understood him to argue for on a previous occasion. That obligation was fulfilled in the sense in which it was quoted; because the British Government did at that time make a friendly representation to the Emperor of Russia, urging what they thought it fitting for the Emperor to do with regard both to the obligations he had contracted by treaty, and to what was right and just with respect to the Poles themselves. In that sense I accept the interpretation of the hon. and learned Member; and when the proper time comes to lay before the House the papers showing what has been done and is doing, I am persuaded the House will perceive, that as far as any obligation upon the British Government to make friendly representations to the Emperor of Russia on behalf of the Poles goes, that obligation has been completely fufilled. With regard to the question which the hon. and learned Member has put, as to the communications going on between the French and English Governments in reference to the manner in which any representation should be made, I am sure the House will feel that it would not be useful, even if it were fitting, for me to enter into details as to that which is now passing on this subject. But when the hon. and learned Gentleman reproaches us, and me especially, with not having during the Crimean war consented to a proposal—if such proposal had been made—to transfer the seat of operations from the Crimea to Poland, I think the decision of Her Majesty's Government was the only rational and sensible decision that could have been come to. The war began in a Turkish question; it began for the purpose of protecting Turkey from invasion and attack by Russia. We were occupied, in conjunction with France, in obtaining the security of Turkey from Russian aggression. And be it remembered that that war commenced by a quarrel between France and Russia on a Turkish matter—that, in truth, it was France which began the war, or, at least, the dispute out of which the war originated. France, therefore, was not a party entitled to ask us—before we had obtained in the Black Sea that security which we thought necessary—to relinquish our half-accomplished enterprise, and embark in another operation totally unconnected with the origin and cause of the war. I contend, therefore, that we acted properly in saying, "Let us finish what we have begun—namely, the protection of Turkey—and when that is ended, we may then see whether there is any ground for engaging in a new dispute with Russia on a question wholly distinct from that which gave rise to the first." We were perfectly justified, then, in not agreeing to suspend those operations in order to embark in a totally different matter. With regard to the still earlier period of 1831, there were at that time considerations which induced us to decline entering into what promised to be likely to lead to serious differences between England and Russia. We did make the representations which the hon. and learned Gentleman has quoted, and although, unfortunately, they were not attended with the success we could have wished, still we did as much as diplomatically we could do. And I beg the House to bear in mind—because it is well to recollect it in the course of these discussions—that the hon. and learned Gentleman now confines his interpretation of the Treaty of Vienna to this:—that we have an obligation, in cases in which the interests of Poland are concerned, to interfere diplomatically on behalf of that country. I believe, Sir, we shall convince the House that we have done our duty in this case, and that our efforts have at all events done some good to those on whose behalf they were made.

COMMAND PAY IN CAVALRY REGIMENTS.—RESOLUTION.

Colonel NORTH said, he rose to move, That this House will, To-morrow, resolve itself into a Committee to consider of an humble Address, to be presented to Her Majesty, praying that She will be graciously pleased to give directions that the same command pay shall be granted to Officers commanding regiments of Cavalry as is now given to Officers commanding regiments of Infantry. The hon. and gallant Member said, that his reason for moving his Amendment was, that ever since 1806 every officer commanding an Infantry regiment or the Horse Artillery had received the allowance, while it was not paid to the Cavalry; and he appealed to the Secretary of War to do justice in the matter. The amount in question was only £500 a year; but this had nothing to do with the justice of the case.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, To-morrow, resolve itself into a Committee to consider of an humble Address to be presented to Her Majesty, praying that She will be graciously pleased to give directions that the same command pay shall be granted to Officers commanding regiments of Cavalry as is now given to Officers commanding regiments of Infantry,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir GEORGE LEWIS observed, that the hon. and gallant Member had shown his good sense and judgment in making a very short speech on a subject which, in fact, lay in a very narrow compass, and he should imitate his example of brevity. The sum which was at issue was about £920 per annum. The pay of a lieutenant-colonel of infantry amounted to 17*s.* per diem, and 3*s.* command money—making together 20*s.* a day. A lieutenant-colonel of cavalry had 23*s.* per diem; he had no command money, but was subject to some deductions—the stoppage of 8½*d.* for the keep of four horses, making 2*s.* 10*d.*; so that the exact amount received was 20*s.* 2*d.* per diem. The only difference, therefore, between the daily pay of the lieutenant-colonel of infantry and the lieutenant-colonel of cavalry was the sum of 2*d.* He admitted that there were certain expenses which lieutenant-colonels of cavalry were subject to which lieutenant-colonels of infantry were not, and he was not, therefore, altogether prepared to justify the equity of withholding from the lieutenant-colonels of cavalry the difference. The Estimates had passed for this year, and it was not worth while to bring up a supplementary Estimate. What he proposed was this:—He would undertake to consider the question during the present year; and unless the opinion he had expressed underwent a change, he should, if he had again the honour of moving the Army Estimates, undertake to propose that the change suggested by the hon. and gallant Member should be made.

Colonel NORTH said, he was quite satisfied, and was very much obliged to the right hon. Baronet.

Amendment, by leave, *withdrawn.*

CHINA—GENERAL BURGEVINE.

QUESTION.

COLONEL SYKES said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the statement of General Burgevine respecting the causes of the late mutiny of the Chinese drilled troops, published in *The Friend of China* of the 17th of January, 1863, has been received at the Foreign Office, together with the protest of all his Officers, forty-five in number, against the attempt of the Chinese authorities to obtain his head by the offer of 50,000 taels, or for his secret apprehension, and threatening to resign if he is is murdered? His hon. Friend (Mr. Layard), in answering the Question he put the other evening, denied all knowledge on the subject and charged his correspondent with untruthfulness. The following day (Saturday) the China mail arrived, and brought a confirmation of the accounts he had received by the previous mail, and which led him to put his Questions. General Burgevine published his statement of the causes which led to the mutiny, and his own conduct, which had been arraigned. He stated, that on the 2nd of January, 1863, his troops in garrison at Sung-Kiong were absolutely without subsistence for the want of pay for a lengthened period. On the 2nd of January he went to Shanghai to receive the pay from the Government banker, Takee, who said it was ready to be paid; but, instead of receiving it, he met with the "grossest abuse." On returning to his troops he found they had affixed proclamations in the city, threatening to take the lives of the Mandarins and pillage the city. Fearing these consequences and for the safety of his European officers, General Burgevine pledged himself to obtain their pay in two days, and started a second time for Shanghai, taking now with him a few men of his body guard. He found the money ready packed, and he took it; but an altercation again ensued, and he unfortunately struck Takee, the banker. The Chinese local authorities immediately issued a proclamation charging him with treason and robbery, and deposing him from his command and offering a reward for his head. This official act excited the indignation of his European officers, and on the 10th of January they issued the following Protest, signed by forty-five Europeans, and which appeared in the *Friend of China*, and other Shanghai newspapers of the 17th of February, 1863:—

> "We, the undersigned officers of the Ward Forces, commanded by General Burgevine, do hereby protest against the late actions of the Chinese authorities in his affairs."
>
> "We are perfectly satisfied that he has always acted in a straightforward and open manner, and he has never been accused of the slightest offence against the military laws recognised by European Powers: we do not now, nor did we ever, consider ourselves liable to punishment by any others.
>
> "In reference to the late occurrence in Shanghai, we know nothing more of that affair, than that it was absolutely necessary to obtain the money immediately, for the preservation of the force, and the safety of the European and Chinese officials.
>
> "We also protest against the brutal attempt of the Chinese authorities to obtain the head of General Burgevine—50,000 taels being the sum offered for it, or for his secret apprehension. Should such a thing take place, we solemnly pledge ourselves, not only not to serve the Chinese authorities any longer, but would make such representation to the Imperial Government at Pekin as would lead to the just punishment of his murderers.
>
> [Signed by nine Majors, thirty Captains, three Lieutenants, three Gunners and Drivers, Clerks and Storekeepers.]
>
> "Sung-Kiong, January 10th, 1863."

These events must necessarily cause a very painful feeling in the minds of many families in England; for Her Majesty's Government, having permitted naval and military officers and other British subjects to take service with the Emperor of China, their lives were never safe from the caprices of the corrupt local officials, over whom the distant Pekin Government had really little control. He must beg his hon. Friend for the future to be more cautious in accusing his correspondents in China of want of truth, founded upon the ignorance of the Foreign Office of events known to every European in China.

MR. LAYARD said, he was afraid he could not give his hon. and gallant Friend a more satisfactory answer than that he had given upon a former evening. It was only that morning that the Foreign Office had received a despatch from Mr. Consul Meadows, enclosing the article from *The Friend of China* to which the hon. and gallant Member had referred. He could not say whether the facts therein stated were true or not; but it appeared that General Burgevine, having had a slight difference with his banker, broke open his till and took away his money. Whether the General was justified in that proceeding he could not say. It was also announced that the local Chinese authorities had offered 50,000 taels for his head; but whether that offer was known to, or sanctioned by, the Chinese Government he had no information. The Foreign Office had received no official information but; when they did receive any, he would do his best to give a satisfactory reply to the hon. and gallant Member. He might add that all the correspondence relating to China was now upon the table of the House. The hon. and gallant Member had reprimanded the Foreign Office for their ignorance, and made a complaint that the truth of his informants had been disputed. The fact was, that the other evening he (Mr. Layard) had ventured to warn the hon. and gallant Member against relying too implicitly upon information he received from China; and he did so because he remembered that last year his hon. and gallant Friend made a statement in that House of some terrible atrocities committed at Shanghai, and read a letter stating that prisoners had been given up by English officers to the Chinese authorities, and were put to death in their presence. He was persuaded that there was no truth in the statement, because he believed it impossible that English officers could have been guilty of such conduct; but a circular was sent to every Consul in China enclosing the statement made by the hon. and gallant Gentleman, and asking for information. In reply, the Foreign Office received distinct and positive assurances that not a single word of that statement was true, and he defied his hon. and gallant Friend to state the name of the writer of that letter. The hon. and gallant Gentleman had also told them that the Taepings had established a custom-house, and had published tariff regulations; but the Consuls in China all denied that any tariff regulations had been published by the Taepings. He thought, therefore, he was fully justified in cautioning the hon. and gallant Member against putting too implicit reliance on correspondence he might receive from China.

Colonel SYKES explained that the letter which he had referred to had been first published in India.

Main Question put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) Original Question again proposed, "That a sum, not exceeding £956,365, be granted to Her Majesty, to defray the Charge of the Manufacturing Departments, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."

Question again proposed, "That the Item of £35,871, for Establishments, be reduced by the sum of £2,000."

Sir HENRY WILLOUGHBY said, that the reduction of £2,000 he had moved from this Vote was the amount of salary paid to Sir William Armstrong. That Gentleman had resigned his office; and as the Secretary for War had not told them how he was going to apply the amount of salary that would be thus saved, there could be no reasonable objection to the reduction of the Vote. He understood that there was some idea of creating a new office, to be held by a general officer, whose duty would be to inspect the various Government establishments. He (Sir H. Willoughby) thought that the only effect of such an appointment would be to shut out the only daylight which the system admitted. He objected to the continual increase in the amount of charges for the nine establishments included in the Vote, which in less than ten years had grown from £15,500 to nearly £30,000. It was expedient, in his opinion, to put some limits on these establishments. There had been a very large decrease in the Vote for Stores, and, as a natural consequence, the charge for establishments ought to be reduced. Colonel Boxer, the head of the laboratory at Woolwich, and a most valuable public servant, had stated that in three months he could supply as much shot and shell as had been expended in the siege of Sebastopol; and therefore, with such resources, it was difficult to conceive why, in time of peace, the establishments should be increased. In the last four years the Elswick Company alone had been paid upwards of £700,000, and £1,100,000 had been paid for iron ordnance. The expenditure was enormous, and he wished to know when it was to be reduced. He agreed in the opinion of Mr. Hawes and Mr. Godley, that to a certain extent Government manufactories were desirable; but that they ought to be watched carefully, and that the public should be assured that they got the value for the money expended. He wished to know what was the amount of the forfeit to be paid under the indenture of 1859 to the Elswick Company, and whether it was now intended to suspend the operation of the gun factory? It would also be very desirable to know the cost of these armaments. What, for example, would be the cost of a 100-pound shot fired at the Taepings? A 100-pound shell at present costs 17*s*. This would give some idea of the cost to the nation of firing these shot at half-savage nations. However well managed these manufacturing establishments might be—and he gave full credit in this respect to certain departments at Woolwich—they were maintained at an enormous cost. But we were very much in the dark as to what those establishments really cost. In 1860, Mr. Anderson and Mr. Arbuthnot, in their evidence, said that the accounts of the store and manufacturing departments were not in a satisfactory condition. The country was kept in the dark because there was no balance sheet—he meant no general balance-sheet. There were balance-sheets for portions of the departments, but not for the whole; and on the 9th of July, 1862, Colonel Boxer admitted that he had never made out a complete balance-sheet. Again, when the Accountant General was examined, he stated that the accounts of 1860-1 had not then been audited. There ought to be duly certified balance-sheets submitted to an independent audit, otherwise the authorities were working in a circle. He moved this reduction because he thought it a reasonable and a wise one, and also because he thought it right that the attention of the House should be called to the costly nature of these establishments. The word "balance-sheet" was not enough; there must be a balance-sheet framed on proper principles, for he had seen plenty of such documents which were not worth a farthing. In the balance-sheet of a private firm allowance was duly made for rates and taxes, insurance, depreciation of plant, and interest on capital; but these items did not usually appear in Government balance-sheets. He believed that the end of the present system was approaching, and he hoped that the Committee would agree to the reduction which he now proposed, of £2,000 on account of establishments.

General PEEL said, that the Government ought to be able to show a regular debtor and creditor account, and their establishments ought to be conducted on the same principles of account as commercial men conducted their private establishments. The reduction in the establishments was not in proportion to the reduction in the Votes; for there was a large reduction in this Vote, but the reduction in the establishment was only one seven-hundredth part of the reduction in the Vote; and in this and the following Vote the reduction was greater than the difference between the total amount of the Estimates for this year and for last year:—that was to say, that the whole reduction of £1,000,000 shown in the Estimates was in these two Votes. He confessed that he looked upon the explanation that had been given by his right hon. Friend the Secretary for War, with respect to the reduction in these two Votes, with alarm. He saw in them greater cause for alarm as to future expenditure than in all the rest of the Estimates. It was not shown on the Estimates, but the right hon. Gentleman told them that only £5,000 was taken this year for the production of ordnance, the Government having — very wisely— decided to suspend the production of rifled ordnance until it was decided which was the best. The Committee would see that this was only the postponement of a service, and that the postponement must swell the Estimates hereafter; for if Sir William Armstrong or Mr. Whitworth, or any one else, should produce a gun superior to that now employed, it would have to be adopted, and the expenditure involved up to that time would have to be incurred over again. He did not know what number of guns were required for the fortifications now in course of construction, but he believed that the cost of them would not be covered by the fortification loans, but would be chargeable to army grants; and he should like to see a general Return of the number required, to the furnishing of which he did not see there could be any objection, although it might be inexpedient to state the armament of any particular place. There was a Return from the Ordnance Department, showing that the number of guns completed up to the 1st of March, 1862, was 1,935, of which number one-third were 110-pounders; but it was evident from the recent experiments at Shoeburyness, that guns of far heavier calibre would have to be adopted; and not one of these was provided for in the Estimates—indeed, as yet they had got only experimental guns. All these facts went to prove that those who looked for a speedy and permanent reduction of the Army Estimates would be disappointed. There was a difference between the Estimate for the present year and the expenditure for 1858-9 of exactly £2,000,000. Part of the increase was to be accounted for by the difference of the manner in which the accounts with the Indian Government were kept. [Sir George Lewis: And the militia is included.] So it was in the expenditure for 1858-9. After allowing for the difference in the mode of keeping the Indian accounts, the actual excess shown in the Estimates of the present year, over the expenditure of 1858-9, was between £1,100,000 and £1,200,000; and not one shilling of that excess was caused by any item of expenditure for the regular army; it arose from the manufacture of ordnance stores, rendered necessary by modern discovery. The increase and improvement of ordnance necessarily involved expense; and he feared that the expenditure on account of ordnance, which in 1858-9 was £600,000, was more likely to reach £2,000,000 than to be reduced to £600,000. He did not perceive the probability of the Government being able to make a reduction, nor did he think that the country was in such a state that it could not provide for any necessary expenditure; but if expenditure was not absolutely necessary, there was no degree of prosperity which could justify the Government in incurring it. His present object was to show that the apparent reduction in the Estimates proceeded from a postponement of services which must fall upon future Estimates, rather than from a real reduction in the Estimates themselves; and to press upon the right hon. Gentleman the importance of a debtor and creditor account being kept for the large manufacturing establishments.

Mr. NEWDEGATE said, that he submitted to the contract Committee, with the sanction of the late Sir Benjamin Hawes, a form of Return for the Enfield establishment, and it was approved by the Committee; but in reporting the products of the establishment the form of Return had been adopted only in one year; so that it was impossible not only to compare the products in point of cost with those made by private contractors, but the cost of the establishment and its productions from year to year.

Sir MORTON PETO believed that any Government were not in a position to command the skill requisite for the carrying on of their extensive establishments. When the Armstrong gun was invented, it was thought that this country would possess a weapon which all the world beside would be without. Great secrecy was observed, and Sir William Armstrong was made a Government officer. But now, after expending £2,000,000 or £3,000,000, and erecting factories at Woolwich and Elswick, Sir William Armstrong had resigned, and the Government had to pay him a very large sum for his manufactory in the North; he possessed the means of supplying ordnance to the whole world, and the Government had thus lost the skill which they heretofore considered necessary for the superintendence of that particular branch of their works. This was a point that ought not to be lost sight of if the Government were determined to be their own manufacturers; but if they would only learn when to buy and how to buy, they need not manufacture at all, but would have all the manufactories of the world at their command. As it was, the country would soon present the anomaly of a Government unable to trust any of its private manufacturers, who at the same time would be supplying all the rest of the world. All that the Government need do was to have specifications clearly drawn out, and to select contractors of high character, reserving the right to strike off their list those that did not deal honestly. This they had done satisfactorily in regard to the building of marine engines, and in no instance had they been disappointed. A manufacturer must have skill to purchase and to organize labour, and no man would do these so well for Government as he would for himself. He agreed with the hon. and gallant Officer opposite, that as soon as the Government had appointed a successor to Sir William Armstrong, and had made up their minds as to the best kind of ordnance, there would be a large expenditure; and in another year it would be found that the Estimates had not been reduced at all, because this year there was not the same ratio of stores that there had been previously. The only reason that the Estimates of this year were less than the Estimates of last year was, that the Government found themselves at fault with regard to the manufacture of ordnance, and they very properly hesitated before committing themselves further. He trusted the hon. Baronet would divide the House, because it was time a check was placed upon these establishments.

Sir FREDERIC SMITH observed, that the manufacturing branches at Woolwich were well conducted in themselves, but required to be harmonized with each other. In appointing an officer to superintend all the establishments, the Government were taking a very necessary and useful step; and he believed they had chosen a very good man for the post. At the same time, while approving the appointment, he believed that the funds wanted for it might be procured by making a reduction in the staff. He was surprised to hear hon. Members talking as if the Government ought to give up manufacturing altogether. With improvements continually taking place in gunnery, it would be most unwise and unsafe to intrust the manufacture of ordnance entirely to the trade, who had neither the same interest in nor the same means of conducting experiments and keeping pace with the progress of the times. He did not believe that gun-carriages could be made in any private factory equal to those at Woolwich; it was a notorious fact that the trade could not manufacture gunpowder calculated to produce the same results as cheaply as the Government. It would therefore be very unwise to trust entirely to the private trade for the production of commodities which the private trade was not accustomed to produce. The Government establishments could keep pace with the improvements which were from day to day being effected; but the staff employed ought to be reduced in proportion to the reduction in the quantity required from them.

Sir GEORGE LEWIS said, the Committee would observe that upon the Vote under consideration there was a diminution upon the establishments this year, as compared with the last, of £435,000; and upon the next Vote which was for Warlike Stores, there was a dimunition of £698,000. The complaints, therefore, that had been made with regard to increased items for Establishments and Government Works did not apply to the present Estimates. With respect to the Manufacturing Departments, the Estimate for last year for the Supervising Establishments was £36,500, whereas for this year it was £35,800, showing not a very considerable diminution, but certainly not an increase. They had now only to deal with the Estimates for the present year. He did not undertake to make prospective Army Estimates. Next year they would have to consider the Estimates for that year, and would then see whether upon the whole there would be an increase as compared with the present year. It was sufficient if he showed that the Vote that he asked for would leave them with sufficient guns and sufficient stores in the magazines, and that the military service ran no danger of being crippled; and on the authority of the military advisers of the War Office he was enabled to state that these would be sufficient. With regard to the general question of Government manufactories, there were two conditions, which, if it was not necessary, it was, at all events, important, should be fulfilled when an article was manufactured, not by Government, but by a contractor. The first was, that the article manufactured should be capable of easy verification by inspection; and next, that it should be of a sort for which there was a demand by the general public, and was not exclusively consumed by the Government. If hon. Members would cast their eye down the list of articles mentioned in this Vote, they would see that the articles manufactured were exclusively those for which there was no general demand in the country, but which were used exclusively by Government. A manufacturer, before he could lay down plant or machinery for which there was no demand by private individuals, but which was exclusively used by Government, said to the Government, "You must give me a security that my money will not be thrown away; you must guarantee me a certain annual amount of orders; or you must advance money to me for the machinery and plant." Experience showed, that whenever private contractors contracted to furnish Government with articles of which Government was the only consumer, they must in effect be subsidized. If the Government wished to provide itself with a certain number of yards of cloth or cotton, or a certain number of pairs of shoes, there was no such difficulty, because those were articles in general demand, and he could not conceive any justification for a Government setting up manufactories of such articles. But it was different in the case of guns, or gunpowder, or muskets. Those were the general principles that appeared to him to govern the question of Government manufacture. He confessed that when he entered upon his present office, his opinions were that it was expedient for Government, in all cases where it was possible, to employ private contractors; but yielding to pressure of facts, he satisfied himself that it was not so easy as hon. Gentlemen seemed to think, to obtain a regular and cheap supply from private contractors. His hon. Friend the Member for Finsbury (Sir Morton Peto) said he (Sir George Lewis) had omitted one difficulty under which the Government laboured—namely, the difficulty of obtaining skilled assistance. But he did not admit the justice of the remark. Colonel Boxer, Mr. Anderson, Colonel Dixon, and other heads of departments, were most accomplished manufacturers; and though their pay was not high, their labour was great, and he believed them to be able to compete in skill, with any private manufacturer in the kingdom. He therefore thought that no advantage would arise from giving up the manufacture of ordnance in the Government factories; and that if they did, the guns supplied would not be so perfect in execution, and that no economy would result to the public. Gentlemen connected with the accounts department of the War Office, stated before the Ordnance Committee last Session that they believed that guns of a certain class (12-pounders), produced in the Woolwich factory, cost the Government about 50 per cent less than those supplied by the Elswick Company. He did not wish to make himself responsible for the principle on which the statement was founded, and it was difficult to make a fair comparison between that which was manufactured in a Government factory and that which was manufactured in a private factory; but he had formed the opinion that no advantage would be derived from closing the Government factories. He now came to the hon. Baronet the Member for Evesham (Sir H. Willoughby), who said the system of accounting was very defective. He must take the liberty of entirely disputing that assertion. [Sir HENRY WILLOUGHBY observed, that he quoted from the evidence of Mr. Anderson.] Mr. Anderson's evidence was given three years ago. Mr. Anderson was no doubt thoroughly master of the system of accounts, and when he stated that at that time they were defective, he no doubt stated what was correct. But at present the accounts of the Government departments included in the Army Estimates were audited in the most complete manner. They were audited for the year ending last March, and they could at any moment be laid on the table. They exhibited not only the cash account but the capital account. At the same time they exhibited a statement of all the articles in store, and they also showed how much of each sort was manufactured in the course of the year, and what was the cost of each article. Nothing more complete could be furnished. Perfect securities were taken for the custody of the stores. The person in charge of each store had a list given to him of the articles when he took charge, and he was called upon to account for the articles. Every year a survey was held at all the stations, when not only was the condition of the stores ascertained, but certain stores were counted as samples of the correctness of the stock in hand; that was to say, stock was taken not completely but in the way of sample, and every five years there was a complete stock-taking, and every single article was examined, and was compared with the lists. These checks applied to the foreign stations as well, and the War Office was at any time able to furnish an account of the stores at any foreign station, such as, for instance, the station at the Ionian Islands. He thought that in this respect at least it was impossible to say that there was any neglect on the part of the Government. As far as the skill shown in the manufacture and the mode of accounting for the article produced went, no reasonable objection could be made; the general principle of having Government manufactories was, of course, a matter always open to discussion; but the practical issue of the hon. Baronet's proposal was to reduce the column for establishments by £2,000. The proposal was based on the fact that the office lately held by Sir William Armstrong had become vacant. Now, the vacancy of an office did not necessarily constitute economy. The usual course when an office became vacant, unless it was a sinecure, which the office lately held by Sir William Armstrong certainly was not, was to fill it up. However, he was ready to admit that some economy could be effected in the case of the office now vacant; and he had in contemplation a plan by which a saving could be effected in the gun factory, and at the same time an appointment might be made by which an inspection of the different establishments at Woolwich could be effected which did not now exist. At present, the head of each factory inspected his own work—a system which, though no serious inconvenience could be said to have resulted from it, was hardly consonant with the idea of a proper control over those who expended large sums of public money. He therefore proposed to appoint a military officer as inspector of the artillery and other articles manufactured at Woolwich. He had no wish to keep up establishments beyond the point which was absolutely necessary, but the Committee should bear in mind, that with respect both to these manufactories and to the army itself, it was important to have a framework which admitted of being called into operation when a sudden emergency arose. What was now passing across the Atlantic showed how an enormous expense might be created by the want of an adequate machinery ready at hand, and one of the advantages which we possessed was that we had such a machinery, capable of being called into activity whenever it might unhappily be needed. He promised, however, that everything should be managed on the most economical standard, and with this explanation he trusted that the hon. Baronet would not press his Amendment. If a division were taken, he hoped the Committee would support the original Vote.

Sir JAMES FERGUSSON said, he thought the right hon. Baronet had not succeeded in showing the Committee that it had any real control over the Estimates of that Department. If the reduction now made in the Vote for stores did not involve any sacrifice of efficiency, the corresponding Vote of last year must have been greatly in excess of the public requirements; and if it were true that since the Estimates were prepared an order had been given for 100 Armstrong guns of large size, what became of the reduction? The right hon. Gentleman took a considerable sum this year for guns; yet a Committee had been appointed to determine what was the best gun for the service, or rather, as it would now appear, only to decide between the Armstrong and Whitworth guns, of which the specimens submitted may be of hitherto untried patterns. That was a practical confession that Sir William Armstrong, after all the costly experiments he had made, was not satisfied with the weapon that had been supplied to the service, and was still going on experimenting. The inquiry before the Committee ought to be thrown open to all inventors, and then we might ultimately secure the best gun for the country. It was most important that we should not accumulate a large stock of weapons that were practically obsolete. The right hon. Gentleman proposed to adopt a new system of inspection. Now, it was necessary, before they passed the Vote, that they should know exactly what was intended. It was given in evidence before the Ordnance Committee of last Session, that a system of independent inspection was under the consideration of the War Office some years ago; but the late Lord Herbert afterwards addressed a letter to the manufacturing establishments at Woolwich requiring the inspection to be conducted by the persons who were from day to day charged with the responsibility for their manufactures. Any inspection to be effective and real must be made in the departments where the different processes were carried on, otherwise it would be impossible to tell whether the guns and shells manufactured had flaws in them or not. He wished to ask the right hon. Gentleman in what branch of the manufacturing departments at Woolwich the want of the proposed system of independent inspection had been experienced. In the only branch in which it had been tried, it had broken down. If inspection were to be more than a name, it would cost much more than £2,000 a year. There must, in fact, be a numerous staff, with an inspecting officer for every one of the departments.

Mr. MONSELL was afraid the hon. Gentlemen who were so anxious to go to dinner, hardly appreciated the importance of the subject before the Committee. The real question was, whether they should completely revolutionize the existing system? It certainly seemed to him that unless the statement which the hon. Baronet had made, and which he (Mr. Monsell) now confirmed, could be refuted, it would be absurd to change a system which had been completely successful during the Crimean war, and in spite of difficulties of the most formidable character. He must call upon his right hon. Friend to name the instances in which the slightest failure had taken place in the inspection carried on under the present system. Was the opinion of Lord Panmure, who had seen the working of the existing plan during our great contest with Russia, of no moment? Or was the late Lord Herbert no authority? That noble Lord, when he first considered the question, admitted that his prejudices were in favour of the proposal now made by the Secretary for War; but subsequent investigation had satisfied him that the proposal was dangerous and bad. The right hon. Baronet was going, in fact, not only to create a useless place for some military officers, but to multiply the existing expense on account of inspection four or five-fold. He hoped the Committee would not imperil a system which he contended was a perfect success.

COLONEL DUNNE said, he was of an entirely different opinion as to the working of this system. He had the greatest respect for the opinion of Lord Panmure and the late Lord Herbert, but in the present instance he believed they were both wrong. No doubt, the incapacity displayed in the Crimea was the cause of serious military disasters, and the Government were now acting wisely in reversing that policy and placing distinguished military officers at the heads of the several departments, who were well acquainted with the best mode of working them. In the course that he was following he was sure that the right hon. Gentleman was doing that which was for the welfare of the country, and he did not believe that there was a single military man but would back him.

SIR GEORGE LEWIS was certainly rather surprised that the very modest proposal he had made with respect to alterations at Woolwich should have met with condemnation in the House. That it should have been condemned at Woolwich seemed very natural—he was quite prepared for disapprobation from the heads of the Woolwich departments; but that Gentlemen who had the control of the public purse should meet with censure a proposal for the simple inspection of the articles produced in the Government manufactories at Woolwich did fill him with surprise. With regard to the carriage department and the laboratory department, the persons charged with them inspected the produce of their own manufactories. He believed them to be highly honourable men, skilful in working, diligent and industrious; and he was perfectly prepared to say that no serious practical evil had arisen. But the Committee must see that was a system which did not contain within itself the elements of perfect control, and a time might arise when serious practical inconvenience might occur. With regard to the gun-factory, he believed there had been some imperfect external inspection; but it had been very little, and it could not be said that no practical inconvenience had been felt. His proposal was not a revolution, nor did it contemplate an additional expense of £30,000 or £40,000. All he asked was to be allowed to take £2,000 a year, which was set free by the resignation of Sir William Armstrong, and he would undertake that the whole of that £2,000 should not be exhausted by the system of inspection which he proposed.

SIR HENRY WILLOUGHBY said, that the speech of the hon. Gentleman opened up a new question, which ought to be submitted as a distinct issue to the Committee. He should divide the House on the principle, that whenever a fair opportunity presented itself of reducing the public expenditure without injury to the public service, it should be eagerly seized upon.

Question put.

The Committee *divided* :—Ayes 45; Noes 94: Majority 49.

Original Question put, and *agreed to*.

(2.) £838,369, Warlike Stores.

COLONEL SYKES asked, who paid for the shot and shell supplied to the Chinese Government.

SIR GEORGE LEWIS said, any stores supplied from this country would be paid for, and the amount received by the British Exchequer.

Vote *agreed to*.

(3.) Motion made, and Question proposed,

> "That a sum, not exceeding £810,941, be granted to Her Majesty, to defray the charge of the Superintending Establishment of, and Expenditure for, Works, Buildings, and Repairs at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."

MR. CHILDERS called attention to the large expenditure upon the new barracks at Chelsea. For three years the total sum which the work was estimated to cost had been stated in the Votes at £140,000; but this year, for the first time, the amount had been raised to £187,000. The reason assigned was that there had been an excess on the cost of the foundations. But these had been put in long ago, and surely the excess was discovered before this year. The arrangement as to the building of these barracks was very unbusiness-like. Instead of this erection being placed under the authority of an officer of Engineers, a premium was offered to architects, and the successful competitor was allowed a percentage on the outlay. The Department then appeared to have gone to sleep, and let the architect do what he liked; and what was thought to be the last year of the expenditure arrived, when the House was told that an additional Vote of £47,000 would be required on account of the unusual cost of the foundations. For this oversight the architect was, of course, responsible; but then he obtained an additional commission on the £47,000. Again, the House had been told in previous years that the total expense of the barracks at Colchester, so far as the Government were aware, was £80,000; but now the cost appeared to be £92,000. There was an item of £15,329 for huts at Gibraltar, on which last year there remained to be voted £4,500 and nothing more. Yet this year £6,000 was asked for on this account. Last year there was what was supposed to be a final Vote for improving the defences at Malta; yet it now appeared, that instead of £172,000, the outlay in this respect was £196,842. Such changes as these ought not to be made without full information being afforded to the House. There was another item upon which further information ought to be given. Without wishing to impute any other than straightforward conduct to the right hon. Gentleman, he must say that the manner in which the Votes for improving the defences of Nova Scotia and New Brunswick appeared to have been drawn looked as if concealment were the object in view. Last year £10,000 was asked for as a total Vote, and now they were told that this £10,000 was only the first instalment of an expenditure of £100,000—this expenditure, too, having been resolved on without communication with the local Government, whose first knowledge respecting it was obtained from the inquiries respecting the land. Greatly improved as was the form of these Votes, he complained that still they did not honestly show the amount to which it was intended that they should pledge the House.

Colonel NORTH said, he had hitherto abstained from speaking on the subject of the fortification Votes; but now, considering the enormous sums to be expended on fortifications, he thought it important to ascertain that proper precautions were taken to secure the health and comfort of the troops placed within them. Last year he was at Eastbourne, at one end of which town there was an old redoubt, which had been repaired for the reception of troops assembled for the purpose of rifle practice. £5,000 had been spent upon

this work. This redoubt had been occupied a short time since by a garrison of 135 Scots Fusilier Guards, and he (Colonel North) had been informed that the arrangements of the place were so bad, that accommodation of a certain necessary kind did not exist within the fort, so that the arrangements which had to be resorted to by the soldiers at night were too disgusting to be described. He trusted this state of things, which could not have existed for a single day in any gaol in England whilst the right hon. Baronet was Home Secretary, nor in any workhouse, would speedily be remedied, as he (Colonel North) understood a detachment of the Guards were about to be sent to the same place. One day he heard the men complain of the water. On inquiry he found that the men were compelled to drink rain water, which was often both foul and scarce. In consequence, he waited on the secretary of the local water company, his impression being that there must be some great engineering difficulties in the way of supplying the fort, or that the charges were exhorbitantly high; but he found that the company would lay on the water for £28, and supply it at 1*s.* per thousand gallons, and only charge for the quantity actually consumed. He trusted that the right hon. Baronet would not lose an hour in putting an end to this disgraceful state of things.

Mr. W. WILLIAMS complained of the large amounts which were being expended, or were about to be expended, upon public works in some of our colonies, especially at Ceylon, the Mauritius, and Nova Scotia; and also asked for information as to the places at which the amounts proposed to be taken for military schools and chapels, accommodation for married soldiers, sanitary services, and other similar purposes were to be expended.

Sir FREDERIC SMITH concurred with the hon. Member for Lambeth as to the right of the Committee to receive information on this subject. It appeared to be the desire of the Government to reform the east face of the Tower of London, and £10,000 was the amount taken for this work. This seemed to be wholly unnecessary, because the Tower could scarcely be considered as a work of defence, and was merely used as a great store warehouse; it was all very well to repair, but this was altering the character of the work, and was a whim that should not be indulged. At page 47, under the head "Various Stations," regimental schools and chapels and other works were mentioned. He (Sir Frederic Smith) should be glad to see the places specified by name where these works were to be constructed. The next item upon which he would remark was that of £450,000 for the defence of commercial harbours. He thought this was a very proper outlay, and that the works proposed were most important and most necessary. But he believed, that if this outlay were required, it had better be made at once. The whole cost intended to be expended was £450,000 — a sum of £206,000 had been voted, but only £121,900 had been expended. In consequence of this mode of procedure, the expense of superintendence was greatly increased. It would be much better to expend the money at once, and have done with it. He should also like to know of what materials these forts were to be constructed. If they were to be built of earth or stone, considering the increased power of modern artillery, a great mistake would be committed; but if they were to be constructed of iron, no one would complain of the system. He found also an item for additional accommodation at the Cape of Good Hope. For whom, he would ask, was this additional accommodation required? Then, again, there was the re-appropriation of the barracks at Warley, £10,000. He remembered the re-appropriation of Warley barracks three times over. Would the right hon. Gentleman state why this appropriation was to be made, and what was about to be done? Another item to which he wished to draw attention was that of £8,000 for the alteration of drainage and the utilizing of sewage at Aldershot. His experience in a Committee of this House last year had convinced him, that unless the circumstances were exceedingly favourable, no attempt to utilize sewage by its application to land would pay, and he was sure that in the case of Aldershot any expenditure with that object would be money thrown away.

Sir HENRY STRACEY said, he also desired to make a few remarks upon the dilatoriness of the Government with regard to the erection of forts for the defence of commercial harbours, and he would particularly instance the case of Yarmouth. The late Lord Herbert in 1859 promised that two batteries should be erected to protect Great Yarmouth, and his constituents had been led to expect that that promise would at once be acted upon; but, up to the present moment, the batteries had not even been commenced. Lord Herbert had, moreover, admitted that the roadstead at Great Yarmouth was of the utmost importance, and that he did so was not to be wondered at when it was borne in mind that no less than 600 or 700 vessels frequently took refuge there in certain winds; that the same winds might bring an enemy into the harbour; that it was easy of assault by gunboats, and that its commerce in the north seas had greatly increased of late years. No port on the east coast was so defenceless, no port was so easily defensible, and for no port had so little been done. The Defence Committee, he might add, had recommended that, in addition to building new batteries, the old ones at Great Yarmouth, which were in a dilapidated condition, should be repaired, and Lord Herbert, supported by the best professional anthority, had so far acquiesced in that recommendation that land had been purchased for the purpose of carrying it into effect, which was now in the possession of the Government. He should wish, under these circumstances, to know why that port was left in its present defenceless state, and upon what ground the present Secretary for War refused to act upon the decision of Lord Herbert and the Engineers by whose opinions he was influenced? The hon. Baronet, in conclusion, moved that Great Yarmouth should be included in the Vote as one of the commercial harbours of the country, at which works of defence ought to be erected.

The CHAIRMAN said, that as the Motion involved an increase of the Estimates, it could not, in accordance with the rules of the House, be put.

Sir HARRY VERNEY desired to press on the right hon. Baronet the expediency of establishing institutes for soldiers, and suggested that the old hospital at Aldershot might with advantage be converted to that purpose. He thought, he added, that it would tend to the promotion of the health, morality, and efficiency of the men encamped at Aldershot, if they were during the summer months to be placed under canvas as far as possible.

Colonel SYKES, with reference to the note appended to the item of "Gibraltar," that "the change of site had caused an excess over the original Estimate," complained that greater care was not exercised in the first selection of a site for the purpose.

Sir GEORGE LEWIS said, that the Vote under this head last year was £995,000, and this year £810,000, being a diminution of £184,000, which could not be easily accomplished in this branch of the expenditure. Formerly these Votes were printed in a single column, showing the amount proposed to be voted in the course of the year. In consequence of the reasonable demands of the Committee, columns were added showing what was the original Estimate, how much had already been voted, and what additional sum was required. Unfortunately, it happened that Estimates were not unfrequently inadequate, and indeed it was almost impossible that the predictions which officers made of the amount required for works of the kind should invariably be realized. Unforeseen events occurred in the progress of the works. A change in the head of a department caused a change of intention. With an officer newly appointed new views were taken, fresh recommendations were made, and the plan originally submitted was departed from. This was not only the case in public affairs, but in private works, and any hon. Gentleman who had any experience in building would remember how he sometimes changed his mind in the progress of the work. He feared, that until they arrived at a period of ideal perfection, they could not expect to have immutable Estimates. He could certainly assure the Committee that the Estimates had been prepared with great care; and although it was difficult to insure perfect completeness, there was no intention to deceive. As to the barracks at Chelsea, he was free to admit that they will probably cost £47,000 more than the original Estimate, but it was an exceedingly good barrack, in the building of which modern improvements had been introduced; so that it was more commodious, more healthy, and far superior in every respect to the old barracks, such as Knightsbridge. As to Colchester, there was an excess of £2,000, but that was upon a total of £80,000. As to Walmer, it was converted into an Indian depôt, and the expense might be deemed to be met by the capitation grant. With regard to Nova Scotia, the Vote was for the expenses of fortifications at Halifax and St. John's. The fortifications at Halifax were looked upon as principally fortifications for naval purposes. It was one of our principal naval stations in the Northern Ocean, and the fortification of it was a matter of Imperial interest. With regard to St. John's, it was the place at which the troops were landed, and some expenditure there was of importance. It was for the Committee to consider whether they would vote these sums. He was quite aware that it was questioned whether we should spend any money on fortifications for the Colonies. He could only say, for his own part, that he was most unwilling to propose the expenditure of a single hundred pounds for the fortification of the Colonies which did not appear to be of Imperial interest. If Gentlemen were prepared to lay down the principle that they thought it desirable or that they were willing to entertain the question of emancipating the Colonies or handing them over to some foreign Power, he could understand the proposition; but it was hardly possible to renounce the duty of providing, to a certain extent, for the military defence of the Colonies as long as they formed an integral part of the Imperial dominions. There was one point to which he thought it right to advert, because he misled the Committee last year by a statement that £10,000 or £15,000, which was then voted, would be sufficient to complete the defences of the Mauritius. He was at the time under that impression; but on conferring with Sir John Burgoyne he found it was impossible, without more money, to place those defences in a state of tolerable efficiency. He therefore proposed this year an additional sum of £15,000, with the prospect of a further Vote to the extent of £34,000. With regard to Eastbourne, they were not regular barracks, and he would inquire whether it was possible to discontinue that item of expenditure. With regard to Great Yarmouth, he proposed this year to take a Vote for fortifications in the commercial harbours of the Mersey and the Humber; so that the hon. Baronet opposite (Sir H. Stracey) would see that the east coast was not neglected. He did not propose to take any Vote to fortify Great Yarmouth, for it was impossible for the Government to undertake to fortify the whole coast. The principle on which they had gone was to fortify our arsenals and those places wherein our military and naval strength resided, and to make them safe against the sudden attack of an enemy. With regard to the Tower, the expenditure for this year was

£3,000, and the receipts from the Tower armoury were £2,636 for the year. Though of no great importance for defensive purposes, yet the Tower was connected with so many historical associations that the Committee, he thought, would not grudge the sum required for necessary repairs and alterations, especially as so large a portion was covered by the receipts.

COLONEL NORTH said, that the explanation of the right hon. Baronet with regard to Eastbourne Barracks was very unsatisfactory. He should make further inquiries; and if he found that nothing had been done, he should bring the subject before the House in a distinct form.

SIR HENRY STRACEY said, the War Office had undertaken to defend Great Yarmouth by building two batteries, and he thought they were bound, in good faith, to carry out that undertaking.

MR. BAXTER said, he was not satisfied with the explanation as to the expenditure proposed for colonial fortifications. Last year the House, with the complete assent of the Government, agreed to Resolutions affirming that the self-governing Colonies ought to be called on to provide for their own defences. Earl Grey and Lord Herbert were examined before the Select Committee on this subject, and both of them stated that a large part of the expenditure on colonial fortifications was entirely wasted, and that frequently the sums voted were not fairly chargeable to the Imperial Exchequer. He himself, had moved a Resolution on the subject, but he had not pressed it, having been satisfied by the speeches of the right hon. Gentleman the Secretary for War, and the Under Secretary for the Colonies, that the Government were of the same mind as himself. Having looked very carefully through the Army Estimates, he was not at all satisfied with what the Government were doing this year to carry out the Resolutions agreed to last Session. It was proposed to vote £14,300 for fortifications and storebuildings in the Colonies which were self-governing. There was an increase in the item for Halifax, Nova Scotia. He should like the House to notice the fact, that, of a sum of £10,000 voted for those fortifications last year, only £1,891 had been expended. He was told that it was the intention to bring the whole outlay up to £100,000; but as only £1,891 out of the £10,000 already granted had been actually spent, the House had now an opportunity of expressing an opinion that this was not a proper application of British money. He did not think that in the Estimates before them, the right hon. Gentleman was carrying out the previously expressed intention of the House of Commons; and he therefore begged to move the reduction of the Vote by a sum of £10,000.

MR. HALIBURTON said, he had before taken the trouble of setting the hon. Member for Montrose (Mr. Baxter) right on the subject of the fortification of the Colonies, but found that he immediately got into the wrong path again. The hon. Gentleman set himself up in a manner to excite the reverence of the Colonies as a man of wonderful integrity and extraordinary disinterestedness. There was a foreigner who came to this country once, and whom, no doubt, many hon. Members had heard performing on the fiddle—he meant Paganini. He had only one string, and on that he played many tunes. The hon. Member for Montrose was more fortunate, for the Scotch fiddle he played on had two strings. There were two questions that he had taken under his particular patronage—namely, subsidies to ocean steamers and fortifications in the Colonies. Upon these strings he played the same tune every Session. He would ask whether the possession of a representative government was the gauge by which they could judge of the duty of a Colony to pay for her own fortifications? At Halifax there was a very large dockyard without a dock. There was a harbour there, and the place was a great military position; but he believed that no harm would be done to the people of Nova Scotia if the whole town was burnt. It consisted principally of wooden houses; and the only improvement it had undergone in his time was that which had succeeded several large fires. He complained very much of those continual discussions about the Colonies in an assembly where they were not represented.

MR. ARTHUR MILLS said, he thought that the conduct of the British Government on the occurrence of the *Trent* affair showed that this country was not disposed to repudiate her obligations towards the Colonies; but it was quite a different question, whether we were bound to maintain the fortifications in all these Colonies; and he should therefore support the Motion for the reduction of the Vote. Those who held the doctrine that the Colonies should be defended by this country, and were prepared to grant large sums for that purpose, would do well to consider whether the construction of fortifications was likely to effect the object they had in view. Since the year 1815 over two millions sterling had been expended on fortifications at Bermuda, and yet there was not one fort there capable of resisting the attack of two French frigates. Sir John Burgoyne stated, in his evidence before the Committee, that the works at the Mauritius would require a further expenditure of about £300,000, and a garrison of 6,000 men. With such a number locked up in them these fortifications were elements rather of weakness than of strength. He believed that the true way to defend our colonial empire was to maintain command of the sea. Before the Committee agreed to that Vote, they ought to consider whether they were not about to involve themselves in an expenditure which was worse than fruitless.

Mr. DODSON said, that the arguments used in favour of the Amendment might be well founded, if applied to the erection of small fortifications to be held by small garrisons; but such was not the proposition submitted to the Committee. He quite concurred with the hon. Member for Taunton (Mr. Mills), that the maintenance of our colonial possessions depended on our naval supremacy; but that was a reason not for opposing, but for supporting the Vote—for, in order to retain that supremacy, it was necessary to have arsenals and dockyards in different parts of the world where a fleet could, in case of necessity, be refitted. Works and fortifications of the kind proposed, so far from scattering, tended to the concentration of our troops. If this country was engaged in hostilities in India, it would be found very convenient to have a considerable force at the Mauritius, which could be made available as the necessities of the case might require.

Colonel NORTH said, his only objection to the Vote was that it was much too small. He thought the experience acquired last year, when troops were sent to the colonies, demonstrated the necessity that existed for having fortifications such as those which had been referred to in the course of the discussion.

Sir GEORGE LEWIS assured the Committee that the items composing this Vote had been carefully revised with a view to their reduction. He had been described by the hon. Member for Montrose (Mr. Baxter) as having stated, in the last Session, that it was not advisable to erect new works in the Colonies, or to make very expensive additions to existing works. By new works he must have meant works in places not at present fortified, and he believed that it would be found that it was not proposed by this Vote to fortify any place not yet fortified. With regard to the additions, he believed that what was proposed, so far from being extravagant, was of the most moderate description. The charge in Part 1, for "New Works Abroad" over £1,000, was £72,000, which could not be deemed an excessive sum when the objects in view and the cost of building were considered. Then, in Parts 2 and 3, the outlay for new works, additions, and repairs under £1,000 each, was only £9,800 in the former, and £15,057 in the latter case. About £2,800 was spent on Canada, and £884 on Nova Scotia and New Brunswick. As we had a considerable force in those parts at present, that expenditure was really very reasonable. The new works at Halifax and St. John's would be of great service for military and naval purposes. It was not in the power of the Government to compel the Colonies to pay these sums; and if the Committee would not vote the money, there was no prospect that it would be forthcoming elsewhere.

Mr. BAXTER said, he must take the sense of the Committee on the matter.

Mr. BUTT said, that to refuse to defend the Colonies was in effect to abandon them. If the Vote was rejected, the House should either compel the Colonies to construct works or leave them undefended. Having given them self-government, the House would not, by taxing them, raise again the question out of which the North American war of independence had arisen. If the Colonies were attacked, this country would have to protect them, and it was therefore an act of prudence to construct fortificatious by means of which the defence of our possessions would be effective.

Motion made, and Question put,

> "That a sum, not exceeding £800,941, be granted to Her Majesty, to defray the Charge of the Superintending Establishment of, and Expenditure for, Works, Buildings, and Repairs at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1864, inclusive."

The Committee *divided*:—Ayes 43; Noes 75: Majority 32.

Original Question put, and *agreed to.*

(4.) £172,201, Military Education.

Colonel NORTH asked, why it was that marks for good conduct did not count in the final examination of cadets. He thought that they should not only count, but should take precedence of all other marks. He thought, also, that in the selection of prizes a sword or something of that sort would be more valued than books.

Sir GEORGE LEWIS admitted the importance of good conduct, but said there was great difficulty in giving it value in an examination.

Mr. W. WILLIAMS inquired, how it happened that the payment to the Lieutenant Governor of the Royal Military Academy at Woolwich had been increased from £500 to £1,000.

Sir GEORGE LEWIS said, the real increase was only £200. The remaining £300 was paid by way of compensation for allowances.

Sir FREDERIC SMITH observed, that the Lieutenant Governor had now double the amount of duty and responsibility which he used to have. He noticed that the expenses of the Council amounted to £8,174. Why were the Indian Government not called upon to contribute more than £360 towards that amount?

Sir GEORGE LEWIS replied, that any change by which the Indian Government should contribute a larger sum would have his entire concurrence.

Sir MINTO FARQUHAR had been told that the new buildings at Sandhurst were damp, and that the cadets had suffered in consequence.

Sir GEORGE LEWIS said, the cadets were under the control of the Commander-in-Chief, and not that of the War Department.

Mr. W. EWART asked what steps had been taken to introduce gymnasia into the army.

Sir GEORGE LEWIS pointed out that there was a Vote for an instructor of gymnastics, and also one for sanitary purposes.

Vote *agreed to.*

(5.) £85,441, Surveys, &c.

Mr. WYLD inquired why the Ordnance Survey for England was not completed, and what were the intentions of the Government with regard to the recommendations of the Committee of last year in reference to the survey upon a larger scale.

Sir GEORGE LEWIS explained that the 1-inch map was finished for all England, with the exception of a few of the northern counties, and the survey in those counties was now being completed. There was a large part of Scotland in which the survey was incomplete. The 6-inch map for Ireland had long been perfected. With regard to the survey of England on the 25-inch scale, which was limited at present to the six northern counties and a large part of Middlesex, the Government had decided that that survey ought to be continued. No Vote was asked this year for that purpose, but it was their intention next year to propose one.

Colonel DUNNE wanted to know whether the advantages of the 25-inch scale were to be extended to Ireland, and whether the expense of the survey for England was to be placed upon the county rates?

Sir GEORGE LEWIS believed that it was proposed to extend the survey to Ireland.

Mr. AYRTON understood that there was nothing in the present Vote which pledged the Committee to the 25-inch scale, his opinion of which was, that it would be perfectly useless.

Mr. SCULLY believed that a 25-inch map would be a work of great national importance, and hoped that when the survey for England was perfected, a map of Ireland upon the same scale would be prepared.

Vote *agreed to.*

(6.) £88,135, Miscellaneous Services.

Colonel DUNNE complained of an increase from £830 to £1,215, in the pay to the staff for the German Military Settlers at the Cape of Good Hope, and inquired how long this charge was to continue.

Sir GEORGE LEWIS observed, that these men were sent to the Cape at the termination of the Crimean war, and he could hold out no immediate hope of the charge being removed from the Estimates.

Colonel DUNNE, referring to the item of £1,000 for medals, asked how it was that medals which had been earned years ago by soldiers, had not yet been delivered. He thought that this was a disgrace to the country.

Sir GEORGE LEWIS said, that if the hon. and gallant Gentleman would specify to what particular medal his observation applied, he (Sir George Lewis) would inquire into it.

Colonel NORTH observed, that the officers of the First Bengal Fusiliers, and the whole of the Artillery, had not yet received the medal for Delhi, which was captured five years ago.

Vote *agreed to.*

(7.) £213,177, Administration of the Army.

Sir JOHN TRELAWNY asked for an explanation of the rule on which the Government acted towards officers of the Staff. Those officers were said to hold their offices for five years only; but several exceptions to that had been made in favour of particular officers at home. He wished to know whether these matters were regulated upon any fixed principle; and, if so, what was that principle? There were three officers now holding high offices in the administration of the army to whose appointment it was distinctly understood the rule would be applied.

Sir GEORGE LEWIS said, the rule was as the hon. Baronet had stated. One of the three officers to whom, he supposed, reference was now made was the Commander-in-Chief. Was that not so? [Sir John Trelawny: Yes.] Well, he had never understood that that was an appointment which should come within the rule of being tenable only for five years. He thought it quite unreasonable and contrary to the spirit of the rule that it should be applied to his Royal Highness. The other two officers also holding situations at the Horse Guards had held their offices a sufficient time to contravene the rule. They came, strictly speaking, within the rule.

Colonel NORTH observed, that it was always understood that the Secretary of State for War had the power, and would exercise it, of continuing those officers so long as he deemed necessary for the public service.

Mr. W. WILLIAMS noticed several items in this Vote which had never appeared before. For instance, there was allowance for forage to the Commander-in-Chief, £976. This was the forage for forty horses. His Secretary also received £244 forage money. On referring to former Estimates he found that neither Lord Hill, the Duke of Wellington, nor Lord Hardinge had such allowances, which, he held, were altogether preposterous.

Sir GEORGE LEWIS said, the same allowance had been made to the Commander-in-Chief last year.

Mr. W. WILLIAMS said, he would certainly take the sense of the Committee on the Vote, although he was sorry to do so, from the high respect he entertained for his Royal Highness the Duke of Cambridge.

Colonel NORTH pointed to the fact that the Estimate last year was £4,432, which included this allowance, the sum being identical with that to be voted this year, with the exception of £9 9*s.* 6*d.* for an additional day in leap-year. Every officer in the army was allowed forage.

Sir GEORGE LEWIS assured his hon. Friend that there was nothing new in this Vote. His Royal Highness had precisely the same allowance for forage last year as the Estimate proposed to allow this year. The Estimates were made out with greater detail this year, but the pay and allowances for forage amounted together to the same sum as last year.

Mr. W. WILLIAMS had referred to the Estimates for the last five years, and found no such charge for forage.

General LINDSAY asked, if it was not the fact that the Commander-in-Chief, although made recently a Field Marshal, received exactly the same pay as before, and that the allowance for forage appeared in previous Estimates under another head, while this year it was included under this Vote in order to bring the whole more clearly before the Committee.

Sir GEORGE LEWIS said, that statement was quite correct. All officers of a certain rank received a certain amount of forage. When the Duke of Cambridge was made Field Marshal he would, according to the regular scale, have been entitled to higher pay and allowances; but he understood and agreed to the arrangement that he should not claim any additional pay or allowances, but only receive the increased rank of Field Marshal. His Royal Highness received identically the same allowances that were enjoyed by his predecessors in office.

Sir JOHN TRELAWNY called attention again to the rule which laid it down that Staff officers should be changed every five years. He referred to the questions which had been asked upon the subject of re-appointments by the hon. Member for King's County (Colonel Dunne) on the

Military Committee, which recommended the change of system; and unless he received some more satisfactory explanations with regard to certain exceptions to the rule than had been given by the right hon. Gentleman the Secretary for War, he should move a reduction of the Vote by £5,569, being the salaries of certain Staff officers who had been re-appointed after five years' service contrary to the recommendations of the Committee.

SIR GEORGE LEWIS said, he thought he had given a very distinct answer to the question already. He had said, and would again say, that he never understood the rule to be applicable to the office of Commander-in-Chief. The offices of Quartermaster and Adjutant General came strictly within the rule, but it was, in his opinion, competent to the Commander-in-Chief, with the consent of the Secretary of State for War, to abstain for a limited time from enforcing the rule in extraordinary and important cases. He could only say he considered himself answerable for the discretion that had been exercised in the cases referred to, and that he was perfectly justified in the re-appointments.

LORD HOTHAM considered that the recommendation which had been made by one of the Military Committees, and adopted by Lord Herbert, was most unwise with regard to the officers in question. It was much to be regretted that the proposition should have been laid down so broadly, that all Staff officers should be changed every five years. There were two offices especially in which a change every five years would be fatal to their efficiency. He did not know whether the Military Secretary was included in the rule; but, to be efficient, the Military Secretary should know every officer in the army, and that was a thing which would require great experience. If they were to change the Secretary every five years, what chance would the Commander-in-Chief have of doing justice to the army? for it was upon the information which the Military Secretary gave him he had to rely. Then as to the Adjutant General; he might be called the court of appeal of the army, and ought to have served in every part of the world, so as to know the duties to be performed in every station in which a part of the army might be placed. If he were changed every five years, he would not know his business. He, for one, thought that the Secretary for War had exercised a most wise discretion in the course which he had taken in this matter; and if he wished for good and efficient officers in the situations just alluded to, he would disregard the recommendations of the Committee; for so long as he found an officer efficient, he would do good to the whole army by continuing him in his post.

COLONEL DUNNE quite agreed with the noble Lord who had just spoken that, with respect to the Staff at head-quarters, it would be most injurious to lay down any such rule. But the object which he had in view when on the Military Committee was to prevent the evasion of the rule by the transfer of officers from one staff to another.

Vote *agreed to.*

The following Votes were also *agreed to*:—

(8.) £25,933, Rewards for Military Service.

(9.) £77,782, Pay of General Officers.

(10.) £464,895, Pay of Reduced and Retired Officers.

(11.) £172,157, Widows' Pensions and Compassionate Allowances.

(12.) £32,843, Pensions and Allowances to Wounded Officers.

(13.) 33,776, In-Pensioners of Chelsea and Kilmainham Hospitals.

(14.) £1,142,702, Out-Pensioners of Chelsea Hospital.

(15.) £144,964, Superannuation Allowances, &c.

COLONEL DUNNE wished to know whether any decision had been come to with respect to the superannuation of barrack-masters. He trusted there would be no civil appointments to this office in future.

SIR GEORGE LEWIS said, barrack-masters were not soldiers. [Colonel DUNNE: They ought to be.] Whether it was desirable to appoint old soldiers or not was another question. As civil officers, however, they came under the rules of Civil Service Superannuation.

COLONEL DUNNE said, that if soldiers were appointed barrack-masters at forty, fifty, or sixty years of age, they had very little chance of superannuation under the Civil Service regulations.

Vote *agreed to;* as was also—

(16.) £32,786, Disembodied Militia.

House *resumed.*

Resolutions to be reported *To-morrow.*
Committee to sit again on *Wednesday.*

SUPPLY.—REPORT.

Resolutions (March 20) *reported.*

SIR JAMES FERGUSSON said, that the Secretary of State for War was understood, on the Vote for the Volunteer Force, to say that there were only 40,000 bayonets in the country for its defence. [Sir GEORGE LEWIS: Of the regular army.] He was glad to hear the correction, because he had met officers belonging to the militia who regarded the statement as a slur upon that branch of the service. There were 95,000 militia of all ranks who were supposed to be trained.

SIR GEORGE LEWIS was quite certain he had added the words of "the regular army" to the statement in question. What he said was that there were only forty battalions of the regular army in the country. He might have added the Yeomanry if he had been recapitulating the force available for the defence of the country.

MARINE MUTINY BILL.—COMMITTEE.

(*Progress 20th March.*)

Bill *considered* in Committee.

(In the Committee.)

Clause 28 (Power to inflict Corporal Punishment).

MR. WHITE said, he would not recapitulate his objections to this clause, but would move that it be expunged.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:* — Ayes 86; Noes 31: Majority 55.

Clause *agreed to.*

Clauses 29 to 38, inclusive, *agreed to.*

Clause 39 (Marking Deserters).

MR. COX moved the omission of the clause. He considered branding even a worse mode of punishment than flogging.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:* — Ayes 97; Noes 22: Majority 75.

Clause *agreed to.*

House *resumed.*

Bill *reported,* without Amendment; to be read 3° *To-morrow.*

TOBACCO DUTIES BILL—[BILL 66.]

CONSIDERATION.

Bill, as amended, *considered.*

THE CHANCELLOR OF THE EXCHEQUER said, that the Amendments which he proposed were purely verbal, with one exception, namely, that when tobacco was warehoused for ships' stores, the drawback should be paid on admission to the warehouse, and not upon export.

Amendments *agreed to.*

Bill to be read 3° *To-morrow,* at half past Four of the clock.

TELEGRAPHS BILL—[BILL 57.]

COMMITTEE.

(*Progress 19th March.*)

Bill *considered* in Committee.

(In the Committee.)

Clause 6 *agreed to.*

Clause 7 (For Underground Works in Metropolis and Large Towns Consent of Street Authority requisite).

MR. BLACKBURN moved an Amendment, the effect of which was to limit the power of telegraph companies to take up any road without the consent of the authorities in trust of that road.

Amendment proposed, in page 4, line 39, after the word "street," to insert the words "or public road."

MR. MILNER GIBSON said, the Committee should remember that they were not now conferring powers; they were merely regulating the exercise of powers already conferred. This Bill was analogous to those Acts which contained general clauses to be embodied hereafter into special Acts. If the assent of every public body having power over the roads was to be necessary before those roads could be touched, there would be no need to come to Parliament at all. The object of coming to Parliament was to obtain special powers to execute certain works without the assent of the parties interested. Parliament had already granted these powers, and the Committee were now asked to apply to the exercise of those powers such regulations as they thought desirable. It would not be expedient that it should rest with some small board in the country to determine whether a line of telegraphs should be laid down between, say, London and Liverpool; what was desired was that care should be taken that all interests should be properly protected in laying down wires.

MR. HENLEY wanted to know why the same regulations that applied to works above ground should not apply also to works under ground. He did not think that small corporate towns, or trustees of turnpike roads more than thirty miles long, should have a right to stop important lines of telegraph. He thought, therefore, that there ought to be an appeal to the Board of Trade.

Lord ALFRED CHURCHILL said, the different telegraph companies were all subject to stringent restrictions of one kind or another. Unless it could be shown that they had greatly abused their powers, it was unjust to add further limitations.

Mr. MILNER GIBSON said, if Parliament were to impose arbitrary conditions of a nature not at present known to the law upon companies hereafter to be formed, the effect would be to give a practical monopoly to telegraph companies already in existence. It was not impossible that in the present instance, as sometimes happened before Railway Committees, vested interests might be seeking to protect themselves by affecting zeal for the public welfare.

Mr. BLACKBURN said, he neither held a share in a telegraph company himself, nor did any friend or relation of his hold a share; but he thought the proposed clause did extend to existing companies. As far as the clause itself was concerned, it either went too far or not far enough. Either the companies should have power to go where they pleased, or the rights of the road trustees should not be limited in any part of the country.

Mr. HENLEY could not understand why, if this were a Bill to remedy inconveniences admittedly felt under the present system, the right hon. Gentleman should shrink from endeavouring to guard against evils of a practical character.

Sir JOHN SHELLEY complained of the roving commission apparently enjoyed by the telegraph companies. In the town of Preston, where he had some property, persons purchasing and intending to build upon land found the company's workmen putting up poles exactly in front of their drawing room windows. No notice whatever had been given of their proceedings. If Parliament had given improper powers to the companies, those powers ought to be properly regulated; if they had been surreptitiously obtained, they ought to be restrained. As the existing powers were so obnoxious and unfair, he trusted they would not be extended to new companies.

Lord ALFRED CHURCHILL said, it was not the fact that the powers which had been conferred upon the telegraph companies last year had been surreptitiously obtained.

Lord HOTHAM said, there was no doubt that some of the powers conferred upon the companies were excessive and unwarranted. It was obvious that with the forty-eight hours' notice now permitted by Parliament, it was only necessary for the promoters of the telegraph to watch a man away from his home on a visit, and when he came back he might find the posts stuck up in front of his house. Some years ago he had the honour of being chairman of a Telegraph Committee. The Committee granted the line, which was at that time opposed. Another Committee sat in the following year, and the powers then granted were greatly enlarged. A year or two passed, and a friend of his asked how the Committee over which he presided could have given such powers; and it turned out that the succeeding Committee had granted these powers on the understanding that they had been sanctioned by his (Lord Hotham's) Committee. Upon investigation, however, it turned out that this was a total mistake. The very reverse was the fact. He (Lord Hotham) represented the circumstances to the then Vice President of the Board of Trade; but the matter could not be remedied. After that he felt justified in saying he should not be very delicate in dealing with the powers of these companies.

Mr. REMINGTON MILLS said, that nothing was further from the fact than that the powers granted by the Bill which was approved by the Committee of which he was a Member had been unfairly obtained.

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 45; Noes 67: Majority 22.

Clause *agreed to.*

Clause 8 (Depth, Course, &c. of Underground Works to be agreed on between Street or Road Authority and Company, or else to be determined by Justices or Sheriff).

Mr. DALGLISH moved the insertion in the 13th line of the word "twenty-eight" for the word "fourteen," his object being that the former instead of the latter number of days should constitute the term of the notice to be given to trustees and public bodies generally when it was proposed that a telegraphic wire should be run through the properties under their control at a particular level.

Mr. MILNER GIBSON said, he thought fourteen days' notice would be amply sufficient, inasmuch as the question whether a telegraphic wire under ground should run one inch above or one below a certain level was one of so little importance that it would, in the majority of cases, be decided by the surveyors of public bodies without there being any necessity of assembling the bodies themselves to pronounce a judgment upon it. He had acted on the best information which he could obtain; but if hon. Gentlemen thought that fourteen days' notice was too short, he would accept the Amendment.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 9 *agreed to.*

Clause 10 (No Telegraph over Streets, except above Houses, and with Consent of Street Authority).

MR. HENLEY asked how it was proposed that the expenses of references to the Board of Trade were to be paid. Were the parties to come to London, or was a Special Commissioner to be sent to the spot? Both would be very expensive processes, and the Committee ought to understand from what funds the cost would be defrayed.

MR. MILNER GIBSON referred the right hon. Gentleman to the 24th and 25th clauses.

MR. HENLEY saw plenty of provision for the payment of the officials of the Board of Trade, but was there any provision for the payment of innocent parties who might be put to a great deal of trouble?

MR. MILNER GIBSON said, that if the right hon. Gentleman would allow the question to stand over, he would consider it.

Clause *agreed to.*

Clauses 11 and 12 were also *agreed to.*

House *resumed.*

Committee report Progress; to sit again on *Thursday.*

VACCINATION (IRELAND) BILL.

[BILL 70.] SECOND READING.

Order for Second Reading read.

SIR ROBERT PEEL, in moving the second reading of this Bill, said, it was intended to supply the defects of various other Bills which had been passed within the last thirteen years. Within the last few years there had been a great falling off in the number of children vaccinated in Ireland, and he proposed to assimilate the law in Ireland to that in England, employing for the purpose the machinery of the Registration of Births and Deaths Bill, which had recently passed through the House. England was not the only country in which vaccination was compulsory, for in most countries of Europe there was a compulsory system. From the Census Returns he found that no fewer than 50,000 persons had died of small pox in Ireland since 1841; and in 1860 there was a diminution of 33,000 in the number of vaccination cases as compared with those of the previous year. The cost of the proposed measure would be very trifling. The Registrars of Births and Deaths would also act as Registrars of Vaccination. The Treasury would bear the expense of the books, but in cases in which the registrar himself was not the vaccinator he was to be allowed a fee of 3*d.* for making the registry. Under an existing Act dispensing doctors were allowed about a shilling a head for each child they vaccinated. There were about 200,000 children born in Ireland each year, and it was calculated that, of these, three-fourths, or 140,000, would receive gratuitous vaccination. The total expense imposed on each of the Poor Law unions (of which there were 163) by the Bill which he now proposed would be about £3 16*s.* 8*d.*—a mere trifle compared with the benefits which it would confer on the country. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR EDWARD GROGAN thought, considering the Bill had been so short a time in the hands of Members, it ought to be postponed till the opinion of the people of Ireland on its provisions could be obtained by their representatives.

MR. BAGWELL said, this was the third Bill on the subject which had been introduced within a very few years, and he thought it was quite unnecessary.

COLONEL DUNNE believed the measure would mischievously disturb the existing arrangements. He moved the adjournment of the debate.

SIR ROBERT PEEL appealed to the hon. and gallant Member to allow them to proceed. The measure would be of great benefit to the poor of Ireland. The burden imposed by the Bill would be only

1-21 of a farthing in the pound on the total valuation roll of Ireland.

LORD NAAS said, the expense of the measure was not the most serious objection to it. To attach a legal penalty to non-vaccination would tend to make that very important and necessary operation exceedingly unpopular. Moreover, the Act of 1858 had not yet had a fair trial. All that was wanted at present was, that the Poor Law Commissioners should take care that the dispensary doctors did their duty.

Motion made, and Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 16; Noes 37: Majority 21.

Original Question again proposed.

MR. WHITESIDE said, when the right hon. Gentleman brought forward a Bill of a novel character at one in the morning he must expect to see it opposed. He thought there ought to be time for further consideration. He moved that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."

LORD CLAUD HAMILTON thought it not courteous to the Irish people to bring in a Bill on the Friday and read it a second time on the Monday.

MR. WHITESIDE said, he would withdraw his Motion.

Motion, by leave, *withdrawn*.

Original Question again proposed.

Debate arising; Debate *adjourned* till *To-morrow*.

House adjourned at a quarter after One o'clock

* * *

HOUSE OF LORDS,

Tuesday, March 24, 1863.

MINUTES.]—PUBLIC BILLS—*First Reading*—Mutiny; Tobacco Duties (No. 56).

Second Reading—Post Office Savings Banks (No. 47).

Committee—Births and Deaths (Ireland) Registration (No. 30).

Report—Illegitimate Children (Ireland) (No. 57).

Third Reading—Salmon Exportation (No. 51); Consolidated Fund (£10,000,000) (No. 46).

POLISH REFUGEES IN PRUSSIA.

QUESTION.

THE EARL OF SHAFTESBURY said, that seeing the noble Lord the Secretary of State for Foreign Affairs in his place, he wished to ask him, Whether Her Majesty's Government had received information as to certain Poles having been seized in Prussia and handed over by the Prussian Government to the Russian authorities. He had himself heard that a report to that effect was quite true; and he had also heard, in another instance, that some Poles, arrested in the Prussian territory, had been handed over to the Russian police, and subsequently shot. He wished to know whether Her Majesty's Government had received any information upon the subject?

EARL RUSSELL replied, that the only information received by him was a despatch from Sir Andrew Buchanan, to the effect that two Polish students had been arrested in Prussia, and that a demand had been made by the Russian authorities that they should be handed over to them. The French Ambassador, however, had claimed those two young men on the ground that they were naturalized subjects of France, and Sir Andrew Buchanan expressed a hope that they would not be given up to the Russians. That was the only account he had received with reference to the arrest of Poles in Prussia.

THE EARL OF SHAFTESBURY: Then the noble Earl has not heard of any case in which Poles arrested in Prussia and handed over to Russian authorities, have been shot?

EARL RUSSELL: I have received no account to that effect.

BIRTHS AND DEATHS REGISTRATION (IRELAND) BILL—(No. 30.)

COMMITTEE.

Order for Committee read.

THE MARQUESS OF CLANRICARDE *presented* Petitions from Boards of Guardians in Ireland, praying that the expenses of carrying out the provisions of the measure be defrayed out of the Imperial funds; and from the President and Fellows of the King and Queen's College of Physicians (Ireland), objecting to certain provisions of the Bill, and complaining that the Returns required to be made would not show the sanatory condition of the population in the various towns. The learned body from whom this Petition emanated did not think it was right that the medical men whose duty it would be, as registrars, to make the Returns should be placed in a position inferior to clerks of unions. After reading the petitions and examining the various clauses of the Bill, he must say, that if it were intended to take effect as a sanatory measure, its provisions were utterly inadequate. If it were designed with such an object, it would be necessary that the Returns should be made by gentlemen of professional attainments; while, on the other hand, if they merely contained a bald statement of the number of deaths in each town, they would be of little use for sanatory purposes. When he first read the Bill, he did not think it had any sanatory object, and if it was looked to to give the Government of Ireland sanatory information it would entirely fail. He thought it would be better to expunge those clauses relating to sanatory regulations, and postpone the consideration of the Bill in Committee till after Easter.

The Earl of ST. GERMANS said, he should be prepared to discuss the different points the noble Marquess had referred to in Committee on the Bill.

The Earl of BANDON said, he entirely agreed with the noble Marquess that a delay of a few weeks was desirable, with a view to the further consideration of this measure; and he thought that delay the more desirable seeing that there were scarcely any Irish Peers then in the House. In the Bill of last year, the expense of registration was to be charged upon the Grand Jury cess and not upon the poor rate; in this Bill it was made to fall upon the poor rate. It was a known fact that so long as the poor rate was confined to the relief of the poor they gave a stimulus to the ratepayers to keep it down; but that if they added other charges, that stimulus was removed. His opinion certainly was that the charge for the registrars should be on the Consolidated Fund. He entertained a very strong opinion that it would have been a far wiser course for the Government to introduce a Bill to settle the whole question of births, deaths, and marriages in Ireland. A Committee was appointed in the House of Commons to which all the Bills on the subject were referred, and they reported as to the registration of marriages; but the Government had not legislated on that point, and had done so on those on which the Committee did not report. He thought there was nothing so easy to deal with as this question of the registration of marriages; and since this Bill had passed through the other House two or three measures had been proposed on the subject, and all parties seemed to agree that legislation should take place with reference to it. He therefore suggested that this measure should be postponed for the present, with a view to their dealing with the registration of births, deaths, and marriages altogether.

The Earl of LEITRIM was understood to dissent from some of the provisions of the Bill, and to urge that its consideration in Committee should be postponed for a short time.

House in Committee.

Clauses 1 to 21, inclusive, *agreed to.*

Clause 22 (Appointment of Superintendent Registrar).

The Marquess of CLANRICARDE trusted the Government would have no objection to alter the title of the clerks of unions, who in this clause were called "superintendent registrars," to "clerks of registrars."

The Earl of ST. GERMANS opposed the Amendment. He thought it as well to have the same machinery in Ireland as in England.

The Marquess of CLANRICARDE would be contented with the omission of the word "registrar," and the insertion of the words "of registries" in lieu thereof.

On Question, Whether the words proposed to be omitted shall stand Part of the Clause? their Lordships *divided*:—Contents 32; Not-Contents 5: Majority 27.

Amendment *negatived.*

Clause *agreed to.*

CONTENTS.

Newcastle, D.
Somerset, D.

Camden, M.

Airlie, E.
Albemarle, E.
Caithness, E.
Camperdown, E.
Cathcart, E.
De Grey, E.
Devon, E.
Ducie, E.
Ellenborough, E.
Granville, E.
Grey, E.
Russell, E.
St. Germans, E.

Eversley, V.

Sydney, V.

Cranworth, L.
Crewe, L.
Dartrey, L. (*L. Cremorne.*)
Foley, L. [*Teller.*]
Harris, L.
Hunsdon, L. (*V. Falkland.*)
Llanover, L.
Lyveden, L.
Overstone, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Redesdale, L.
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Wodehouse, L.

NOT-CONTENTS.

Bandon, E.
Belmore, E. [*Teller.*]

Hawarden, V.

Clements, L. (*E. Leitrim.*)
Somerhill, L. (*M. Clanricarde.*) [*Teller.*]

Another Amendment *moved*, and *negatived.*

Amendments made: The Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 57.)

POST OFFICE SAVINGS BANK BILL.

(No. 47.) SECOND READING.

Lord STANLEY of ALDERLEY *moved*, That the Bill be now read 2ª.

Lord REDESDALE said, he thought that the interests of the infant depositors were not sufficiently protected by the Act. As it stood at present, the deposits of children over seven years of age could be transferred from the old savings banks to the Post Office savings banks, and afterwards withdrawn by their parents and guardians. He thought, that considering the class of persons who would make use of these banks, there would often be a disposition on the part of the parent or guardian to withdraw the money of the child, rather than allow it to accumulate.

Lord STANLEY of ALDERLEY said, that the transfer of such monies must be made with the consent of the Postmaster General and two trustees of the old savings banks. He did not therefore think that the objection of the noble Lord was of any force; but the subject could be considered in Committee.

Motion *agreed to*; Bill read 2ª accordingly, and committed to a Committee of the Whole House on *Thursday* next.

THE INDIAN COUNCIL.

QUESTION.

Lord LYVEDEN rose to ask Her Majesty's Government, Whether they intend in this Session to reconsider so much of the Act 21 & 22 *Vict.*, c. 106, as relates to the Nomination, Election, Numbers, Duration of Service, Salaries, and Retired Allowances of the Councillors of India? In the Bills which were introduced by the Government of the Earl of Derby and Lord Palmerston, at the time the Government of India was transferred from the East India Company to the Crown, the numbers of the proposed Council differed in each Bill. Six was the number at first proposed by himself to the Cabinet to which he had the honour to belong, who altered it to eight, and it was raised by the noble Earl opposite (the Earl of Ellenborough) to fifteen, its present number. Many objections were raised to the duration of the office; and Motions were made in both Houses to limit the duration to five years; and, altogether, there were great doubts and differences of opinion as to the details of the Bill. Lord Stanley then stated that it was unnecessary to introduce clauses of that nature into the Bill; because the Legislature might, at any moment they pleased, alter the constitution of the Council. After they had had a few years' practical experience of the working of the Council, it was generally felt it would be necessary to revise its constitution altogether. From the time, however, of the passing of the Act, Parliament had been kept perfectly in the dark as to what the Council was doing. One paper, certainly, had been laid on the table, and a very remarkable one it was. It related to the amalgamation of the Indian with the Queen's army—a question on which every one would have supposed that the Indian Council would have been able to give excellent advice. But the Secretary of State (Sir Charles Wood) would not allow them to express an opinion upon it until the matter had been finally decided by the Cabinet. Some of them wished to protest; but the right hon. Baronet pointed out to them that the Act only allowed them to protest in matters which had been decided at one of their meetings, whereas this matter had been decided by the Cabinet before the Council met. However, as a matter of good nature, he allowed those who desired it to enter a useless dissent. The Council, too, would have been very well qualified to arrange the details of the manner in which this measure should be carried out; but the Secretary of State, instead of employing them, had recourse to that last expedient of a Minister at his wits' end—a Royal Commission. As to the amount of work in the Council, he knew from his own official experience, that under the old Board of Directors despatches were read and answered by clerks. Abstracts were made for the Directors; but the principal part of the writing was mere clerical labour. In reply to his demand to have the number of Councillors reduced, the names of distinguished men would no doubt be mentioned. It would be said that Sir John Lawrence was one of the Councillors. That was true; but they did not want fifteen Sir John Lawrences, even if they could find them. Six or eight Councillors, the number proposed by Lord Palmerston's Government in the first instance, would be quite sufficient. He said this with the greatest respect for the gentlemen who at present composed the Council. With some of these he was personally acquainted, and he knew that they were all men of business habits and high character; but if even £10,000 a year could be saved by reducing the number, it would be worth while to study economy in the matter. He therefore begged to ask whether Her Majesty's Government intended to submit the question of the number of Councillors to a Committee—which might be a useful course—or whether they intended to bring in such a Bill as might be introduced under the proviso in the Act 22 & 23 *Vict.*, c. 106, which stated that the arrangement made by that Act should stand till "Parliament shall otherwise provide."

THE DUKE OF ARGYLL said, he could not help thinking that his noble Friend had addressed this question to Her Majesty's Government rather for the purpose of expressing to the House his own opinion on a very important subject than for that of obtaining from the Government an answer, the substance of which he must be able to anticipate; because his noble Friend must feel, that if it was the intention of the Government to revise and alter the decision which had been deliberately come to by Parliament respecting the nature, tenure, and composition of the Indian Council, it would have been their duty to come down and make an announcement to that effect, and not withhold the information till such time as it might incidentally be elicited in answer to a question from a noble Lord. His noble Friend must be aware that the answer he had to give him on the part of Her Majesty's Government was, that there was no intention at that moment, or at any future time, as far as they could at present speak for the future, to revise and alter the decision come to after much deliberation and by large majorities, when the India Bill was under discussion in 1858. During the debates on that measure the question was raised by a distinguished Member of the House of Commons (Mr. Roebuck) whether it was necessary for the Secretary of State for India to have any Council at all—whether India might not be governed by a Secretary, assisted by an Under Secretary, and some officials acquainted with India. Mr. Roebuck raised that question; but it was not pushed to a division. He (the Duke of Argyll) was not prepared to state that India might not be governed in that way if men acquainted with the country, and of ability and experience, could be got to serve under the Secretary of State in the subordinate position of ordinary officials. But this objection was taken by Parliament, and he thought it was a fatal one—that we should not be able to induce men who had distinguished themselves in India to assist the Secretary under such circumstances. He very much doubted that we could have got such men as Sir John Lawrence, Sir Frederick Currie, and Mr. Willoughby under that arrangement. The next question was, as to the number of Councillors. He confessed he did not believe the weight of the Indian Council depended on its number. He believed it depended on the character of the Councillors, more than on their number. Although there were some expressions of opinion in favour of a Council of twelve, it was ultimately decided by a large majority, with the assent of Lord Stanley, that the number should be fifteen. Another question which was discussed was, whether any portion of the Council should be elective, or whether they should all be nominated by the Crown. A new constituency was devised for the purpose of carrying out the elective principle; but the proposal was rejected. He would not pronounce any opinion upon the wisdom of that scheme; but this, at all events, might be said in favour of it, that it provided that in the new constituency the interests of the commercial classes should be represented. The only principle of importance in election was the principle of representation, and that was entirely abandoned; because, although the proposal was adopted that seven out of fifteen Councillors should be nominated by the Council itself, Lord Stanley very fairly admitted at the time that it had nothing to do with the principle of election, and was merely a means of introducing some few persons who would not be selected by the Secretary of State. These successive decisions by Parliament, in divisions which were not influenced by party feeling, ought to be accepted by the Government as settling the question of the constitution of the Council, unless and until some evil was discovered which it was their duty to remedy. He entirely disputed the proposition that any pledge was given by which they were bound, within a certain number of years, to consider the question again of an organic change in the Indian Council, and he maintained that no change ought be suggested which might lessen the reputation and authority of the Council. In his opinion, nothing had occurred since the passing of the measure to cast a doubt upon the practical working of the system. The Council had, upon the whole, worked smoothly and satisfactorily; and the absence of papers, of which the noble Lord complained, was a proof that occasions did not arise for the Council to record protests and dissents in reference to decisions of the Secretary of State. Some papers, showing what was doing in the Council, had been produced. The amalgamation of the two armies was not an Indian but an Imperial question, and the opinions of some of the most eminent Members were laid before Parliament previous to Parliament being asked to come to a decision upon it. He could not conceive a more important question than the redemption of the land tax and the permanent settlement of the land revenue of India. That question had been discussed and decided in the Indian Council, and valuable papers had been presented to Parliament in which the opinions of the most distinguished Members with regard to it might be read. Another important question, as to the relations between the European planters and the ryots of India, had also been decided, and the opinions of members of Council, eminent for their knowledge of the country, and of Indian affairs, had been made known. In both those instances, the Secretary of State had overruled the decision of the Governor General and his Council, and it was most important to the Secretary of State that he should be able to point to those papers, to show that he had not acted without full consultation and the full support of those eminent and distinguished men. The local Government must sometimes be influenced by local opinion, and local opinion in India was mainly the opinion of the English settlers and the English commercial classes. He had no doubt that upon the question of the relations between the planters and ryots the local Government had committed a material error; and he was equally sure that the power of the Secretary of State to correct that error was greatly strengthened by his being able to appeal to the opinions of men of equal eminence with the Councillors of the Governor General and free from the vices under which the Legislature of Calcutta more or less conducted its proceedings. In both these cases, of the relations between the planters and the ryots and the settlement of the land revenue, it was satisfactory to see the opinion of competent men sustaining the opinion of the Secretary of State, and he sincerely believed that the present Council was composed of a body of gentlemen, whose opinions might fairly be trusted in all questions of a similar kind.

THE EARL OF ELLENBOROUGH said, he entirely approved of the course which the noble Duke had announced on the part of the Government, namely, that of deprecating any disturbance in the constitution of the Council. He thought it extremely fortunate that the noble Duke had had the opportunity to make that declaration, which would strengthen the Council and give stability to its judgments. He (the Earl of Ellenborough) had always been in favour of a Council, and the stronger the better, as he thought it was always an advantage for the Secretary of State, when he introduced a measure, to be able to tell Parliament that he was supported by the concurrence of his Council. He believed there would always be occasions when the opinions of the Members of the Council would clash, because there were always questions which required to be treated in a cautious and deliberate manner. He confessed that he should never be afraid of a strong Council; but he should have the greatest apprehension of a weak one; for the Indian Minister might be able to manage able men, but might not be able to manage weak men.

THE MARQUESS OF CLANRICARDE said, it was the unanimous opinion of the country that the Council did, on the whole, work well; but it might, nevertheless, be a legitimate subject of inquiry whether, even if they should not proceed to an immediate reduction, there might not be a possibility of future reduction, not only without a diminution, but even with an increase of efficiency. His own idea was, that the Council would work better if it were not quite so numerous. The noble Lord, however, had given no indication of the kind of change he contemplated in the Council. But what he complained of, and what his noble Friend complained of, was that Parliament did not know how the Council worked. He thought that great advantage would result from the publication of the Minutes of the Proceedings of the Council, because at present they were utterly in the dark as to when the Secretary of State was opposed or supported, and by whom. It was all very well for the Secretary of State for India to say, "I am supported by Sir John Lawrence and such and such other distinguished men;" but their Lordships did not know whether, or on what points, and how far, he was supported by them. On one most important question the opinion of the Council was not known until the decision of the Government had been taken. If the Secretary of State could appeal to the authority of his Council in support of his views, it was right that Parliament should know when he did so, whether the Council were unanimous, and what were the opinions of individual Members. Without such knowledge, Parliament came to the discussion of questions relating to the Government of India at great disadvantage.

Earl GREY said, that the fact of their knowing very little about the Council was to his mind the best possible proof that it was working tolerably smoothly and well. If difficulties arose, and the Council were unable to conduct the affairs of India in concert with the Secretary of State, he had no doubt Parliament would hear of it soon enough. When they found things working well, he certainly did not wish to see changes introduced.

The Marquess of CLANRICARDE said, what he objected to was that the authority of the Council should be quoted without giving Parliament an opportunity of seeing how far the Members of Council were unanimous.

NEW SOUTH WALES, VICTORIA, AND SOUTH AUSTRALIA.—PETITIONS.

Earl GREY *presented* Petitions of Inhabitants of the District of Clarence and Richmond Rivers for the Separation of the District of the Clarence and Richmond Rivers from the Colony of New South Wales, and for including the same in the Colony of Queensland; and of Inhabitants of Bridgewater, Portland, and Heywood, in the Western District of the Colony of Victoria, for Separation of Western Portion of Victoria from Victoria, and of the South Eastern District of South Australia from South Australia, and for the Union of these into One separate Colony. The noble Earl said, that in the Act of 1850, for the better Government of the Australian Colonies, power was reserved to the Crown to detach portions of the colony of New South Wales in order to form other colonies if necessary, and to alter the boundaries of the several Colonies from time to time. In the year 1859 that power was acted upon, and the colony of Queensland founded; but, instead of following the course contemplated when the Act was passed, different boundaries were chosen. The Petitioners in the first Petition, which was from the district of the Clarence and Richmond Rivers, complained that, in consequence of the boundary of the Colony of New South Wales being fixed at the 28th instead of the 30th parallel of south latitude, they had been separated from Queensland, the colony with which they were naturally connected, and remained attached to the colony of New South Wales, from which they were divided by a range of mountainous country. They were 500 miles from Sydney, the capital of New South Wales, from which they were also separated by this natural boundary, and only 100 miles from Brisbane, the capital of Queensland, and they stated that they had no material interests in common with New South Wales. They therefore contended that they ought to be separated from the former and attached to the latter colony. They complained, moreover, that they were unfairly dealt with in the matter of taxation, having been made liable in part for a public debt with which practically they had no concern; that they were not fairly dealt with in the appropriation of the revenue, not having a fair proportion of the advantage in proportion to the revenue they paid; besides which, they had no hope of good government until they were attached to Queensland, with which they were connected geographically and by inclination. Upon those grounds they prayed that such steps might be taken as might seem proper to annex them to Queensland. It appeared to him that the complaint of these petitioners was just, and that the district in question ought to belong to Queensland rather than to New South Wales. There were three other Petitions—from Portland, Bridgewater, and a third district in the western portion of the colony of Victoria. They complained of their distance from the seat of Government, and alleged that they were subjected to legislation unsuited to their circumstances. The same prayer proceeded from the districts forming the eastern portion of the colony of South Australia, who were circumstanced in regard to South Australia as were the other petitioners in regard to Victoria, and who therefore prayed that they might be formed into a distinct colony. They stated that they were together quite large enough for this purpose, and that they were larger than the colony of Port Phillip when it was separated from New South Wales. He was not so well acquainted with the merits of this Petition as of the other, but all these representations were well deserving of the attention of the Government and of Parliament.

THE DUKE OF NEWCASTLE said, that the letters patent constituting the colony of Queensland were issued by his predecessor in the early part of 1859, and he could not explain the reasons which influenced him in adopting the line of division he had made. Some time after his acceptance of office he received an application, not from the colonists, but from their representative in this country, urging that the particular district referred to in the Petition should be added to Queensland; and another series of applications asking that it should be retained by New South Wales. To those applications he replied, that as the boundary lines had been laid down by letters patent, it was beyond his power to interfere; he said, however, that if they could come to any agreement between themselves as to any other line of boundary, he should be willing to adjust their differences. Since then he had had no communication on the subject, and he had hoped that they had acquiesced in the arrangement which had been made. With reference to the formation of a new colony from fragments of Victoria and South Australia, he could assure his noble Friend that applications for the formation of new colonies out of the existing Australian colonies came so frequently, that if it were possible to accomplish the wishes of all the people of New South Wales, Sydney and a very limited district around it would be the only surviving portion of the colony of New South Wales. The settlers in many districts averred that they would be better off if separated from the mother colony; and he considered that it would be exceedingly bad policy to multiply colonies in Australia to an indefinite extent, especially until certain districts were thoroughly populated. Of course, the expenses of new Governments would be large, and all the difficulties which existed, with reference to customs duties, between the different colonies would be greatly magnified. In short, his opinion was, that generally speaking, until a portion of a colony was completely populated, it would be very unadvisable to interfere. There were applications, no doubt, that must shortly be attended to. He had been recently appealed to, for instance, to form a new colony south of the Gulf of Carpentaria. The time had not yet arrived for such a step; but the progress of exploration and the vast influx of people into that pastoral district would justify, before long, the establishment of one, if not two, additional colonies—one at Victoria River, and perhaps another at Albert River. For the present, however, deprecating these constant applications for separation, he had decided on this provisional arrangement:—that the large district extending between the Gulf of Carpentaria and Port Essington, and including an area of 730,000 square miles, should be temporarily annexed, one portion to Queensland and another to South Australia. He thought it would be undesirable to sever the other districts alluded to by his noble Friend unless more valid reasons than any he had yet heard could be assigned.

Petitions to lie on the table.

MUTINY BILL.

Read 1ª; and to be read 2ª on *Thursday* next: (*The Earl De Grey.*)

TOBACCO DUTIES BILL.

Read 1ª; to be *printed;* and to be read 2ª on *Thursday* next; and Standing Orders No. 37 and 38 to be considered in order to their being dispensed with; and the LORDS SUMMONED: (*The Lord President.*) (No. 56).

House adjourned at a half past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 24, 1863.

MINUTES.]—SUPPLY—Resolutions (March 23) *reported.*
PUBLIC BILLS—*Ordered*—Militia Pay.
Second Reading—Partnership Law Amendment [Bill 26]; Vaccination (Ireland), Debate (March 23) *further adjourned.*
Committee—Inclosure [Bill 58].
Report—Inclosure [Bill 58].
Considered as amended—Corrupt Practices at Elections [Bill 68].
Third Reading—Tobacco Duties [Bill 66], and *passed;* Marine Mutiny, and *passed.*

ABOLITION OF TURNPIKES.

QUESTION.

MR. WESTERN said, he would beg to ask the Secretary of State for the Home

Department, Whether it is his intention this Session to introduce any measure for abolishing Turnpikes; and, if not, whether he will be disposed to leave out of the Continuation Act those trusts which are free from debt?

Mr. H. A. BRUCE said, in reply, that it was not the intention of the Government to introduce any general measure for the abolition of turnpikes. It was undoubtedly the custom to extinguish trusts whenever the debt had been paid off, but there were some exceptions, however, to that rule. With regard to the case which the hon. Member had doubtless in his mind, that of the Essex roads, the trustees, and a majority of the parishes through which the highways passed, were of opinion that the trust should be continued. Under these circumstances, it would not be extinguished.

ALIENATION OF BRITISH TERRITORY.

QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask Mr. Solicitor General, Whether it is within the competence of the Prerogative of the Crown, upon the advice of the Minister of the day, to alienate any undoubted territorial possession of the Crown or the country without the knowledge or consent of Parliament; and, if so, whether such exercise of the Prerogative is not, in fact, equivalent to the possession by the Government of an arbitrary power of such alienation of territory?

The SOLICITOR GENERAL: Sir, the hon. Member put the same Question to the noble Lord at the head of the Government not long ago. If the noble Lord had not answered the hon. Gentleman, I do not know that it would have been quite consistent with my duty to do so. Since the noble Lord did answer the Question, I may repeat the substance of his reply, without going into the argument involved in the question. There is neither law nor constitutional usage to make the assent of Parliament necessary to the cession of territories of the Crown unless the laws of this country have been introduced into those territories, or unless Parliament has legislated concerning them.

Mr. DARBY GRIFFITH said, he wished to ask the hon. and learned Gentleman to explain the exact qualification he had introduced into his answer. The hon. and learned Gentleman said it was competent to alienate territory of the Crown without the assent of Parliament unless English laws had been introduced into the territory, or that it had been legislated for in Parliament. He wished, for example, to know whether the Crown possessed the Prerogative of ceding Colonies like Canada, Malta, or Gibraltar without the assent of Parliament?

The SOLICITOR GENERAL: I really cannot argue the question with the hon. Member. When British subjects have settled in newly-discovered territories—not countries acquired by conquest or cession—they carry with them the laws of this country. In that case cession could not take place without the consent of Parliament. In the case of conquered or ceded countries, if Parliament had legislated concerning those countries, then I apprehend the concurrence of Parliament might be necessary.

GOVERNMENT OF THE NORTH WESTERN PROVINCES OF INDIA.

QUESTION.

Mr. VANSITTART said, he would beg to ask the Secretary of State for India, Whether it is true that he has issued instructions to remove the Seat of Government of the North Western Provinces from Agra to Allahabad; if so, whether he has any objection to the production of the Correspondence relating to the same?

Sir CHARLES WOOD, in reply, said, he had issued no such instructions as those referred to, and no correspondence, that he was aware of, had taken place on the subject.

CASE OF LIEUTENANT COLONEL CHARTERIS.—QUESTION.

Mr. CONINGHAM said, he rose to ask the Secretary of State for War, What are the terms of the Regulation under which Lieutenant Colonel Charteris, who entered the Army in 1840, and who has not therefore completed his term of twenty-five years' service, is allowed the special indulgence of exchanging on half-pay with an Officer whose first Commission is dated 1830?

Sir GEORGE LEWIS said, in reply, that a Royal Warrant was issued in January last, which embodied what was understood to be the Regulations formerly in force. That Warrant permitted one Officer to exchange with another Officer on half-pay. But it was not understood that the Warrant was to introduce any new conditions, and the constant practice of the War Department and the Horse Guards was in accordance with the Regulations before they were put into the shape of a Warrant.

ARTERIAL DRAINAGE IN IRELAND.

QUESTION.

MR. BAGWELL said, he wished to ask the Secretary to the Treasury, If it is the intention of Her Majesty's Government to authorize the Board of Works to proceed as formerly with works of Arterial Drainage in Ireland, and to place at the disposal of the said Board for that purpose sufficient funds, repayable by instalments by the owners of the land improved by such works of Drainage?

MR. PEEL said, in reply, that it was not the intention of the Government to authorize the Board of Works to proceed with works of Arterial Drainage in Ireland.

CONSTABULARY HORSES.

QUESTION.

MR. HUNT said, he would beg to ask the Secretary to the Treasury, Whether, in consequence of the small number of horses kept for hire in some parts of the country, and the difficulty experienced by the County Constabulary in obtaining horses on hire from licensed persons, the Government will consider the propriety of recommending to Parliament to exempt from duty horses hired for Police Service, on the same principle on which an exemption is now allowed by law in the case of horses hired to convey prisoners to Gaol?

MR. PEEL, in reply, said, it was objectionable to multiply exemptions from general laws. Except in a few places the Police had no difficulty in procuring horses from licensed persons, and as those persons paid a heavy duty, it was not desirable to interfere with their trade. The Government, therefore, did not intend to extend the exemption referred to by the hon. Member.

COOLIE IMMIGRATION INTO THE ISLAND OF REUNION.

PAPERS MOVED FOR.

MR. CAVE, on rising to move an Address on this subject, said, that as he had more than once called the attention of the House to this subject, he would state very briefly his reasons for again introducing it; and would beg permission before doing so to recapitulate, by way of preface, the transactions to which his Motion referred. It was well known that the French emancipated their slaves after the Revolution of 1848, and that the result in their colonies, as in ours, had been great difficulty in carrying on cultivation, in consequence of the dislike of the negroes to regular work. There were published annually in France expositions of the state of the empire, called *Livres Jaunes*, which, by a pardonable Hibernicism, had been termed French blue-books. Certain hon. Members, in perusing that portion of those books which related to the Colonial Department, might perhaps wonder that so profound a politician as the French Emperor should set a high value on his colonies; but so it was. The Emperor anxiously desired the prosperity of his colonies; and seeing that the only way to make them to compete with slave countries was to give them abundance of labour, unlike our Government, which for years threw every obstacle in the way of our colonies obtaining labour, he made it an object of Imperial solicitude. The earliest results of his exertions were not happy; they were the so-called free emigration from Africa, the consequent difficulty with Portugal about the *Charles et Georges*, and the very natural desire of the Government of this country to put an end to so questionable and troublesome a system. The price paid to the French for giving up recruiting on the coast of Africa consisted of two treaties, one concluded in 1860, the other in 1861, by which France was permitted to draw labourers from British India. He could not wonder that this concession appeared at first sight expedient, or at any rate the least of two evils. But it must be borne in mind that the Government of this country had wisely declared that the Indian emigrants were not capable of taking care of themselves. They had therefore laid down rules for the protection of these emigrants, and appointed officers to see that those rules were observed. With regard to our own colonies, trickery and concealment were impossible, and he had himself this Session induced the hon. Member for Honiton (Mr. Moffatt) to add, to his annual Returns on the subject of immigration the number who returned each year to their own country and the amount of earnings they carried with them, so that the House might see at a glance the working of the system. Could this be done in a foreign colony? The earliest and, he believed, the only French colony which had as yet taken advantage of the treaties was the island of Réunion or Bourbon, near Mauritius, which, having got so bad a name at Madras that no more emigrants could be obtained thence, gladly availed itself of the more distant labour-market of Calcutta. A British Consul had been stationed in Réunion to protect the immigrants and see that the stipulations of the treaty were duly observed. In consequence of certain rumours which had reached him, he asked the Under Secretary for Foreign Affairs last Session, on the Vote for this Consul's salary, what reports had been made by him of the condition of the coolies. The reply which he received was very unsatisfactory; he elicited no information about the state of the Indians in the island, but an admission that there had been great mortality at sea. This induced him to apply to a gentleman of high standing in Mauritius, wholly unconnected with sugar estates or planters, who had since paid a visit to Réunion and made inquiries for himself, and who entirely confirmed the reports of ill-treatment which had reached him. Without going into individual cases, he would merely mention two facts as indicative of the system pursued. The first was that coolies found in the road or elsewhere without a pass from their masters, and those against whom their masters had made a complaint of idleness, were carried off to the *ateliers*, in reality *travaux forcés*, where they were compelled to work as convicts; and the operation many of them were engaged in, while his informant was in the island, was standing up to their shoulders in the sea, passing along stones for the harbour now in course of construction at Réunion. The other fact was that many, who had been introduced by a company called the "Société Agricole," at so much a head, were pronounced not good agricultural labourers, and were induced on that account to accept a lower rate of wages than that promised in India. Now, he was not advocating the claim of our colonists to monopoly in the labour market of India, but he could not help asking what fair competition there could be between employers who fulfilled their contract to the letter and those who repudiated it. His informant concluded his letter in these words—

> "The result to which I have come is that Coolie immigration to Réunion is a modified form of slavery, and ought to be given up, unless placed upon a better footing."

Such were his reasons for placing this notice upon the paper early in the Session. Since then, in fact only last week, the mail from India brought an important corroboration of these statements. A debate had taken place in the Viceregal Council at Calcutta on this very question. It was on the 5th of last month. In the course of the discussion reference was made to the deceptions practised on the coolies by the recruiting agents, to the great mortality during the voyage, and the great mortality in the island. Mr. Ellis, one of the speakers, quoted from a newspaper published in Réunion, which complained "of the physical inability of the Indians to work in the sugar plantations," but added that "the demand for labour was so great that even such was eagerly taken up." Upon which Mr. Ellis remarked, "that he much feared the old slavery opinion, that it paid to use a man up with labour for which he was unfit, prevailed at Réunion." It was also stated that no less than 9,000 coolies had left India for this diminutive island of Réunion—a mere speck in the Indian Ocean—in little more than two years, and that a treaty had been entered into permitting the Danes to take coolies to Santa Cruz, in the West Indies. It was asked whether we intended to depopulate India. The hon. Member for Maidstone had recently expressed just indignation at the permission given to the French Emperor by the Viceroy of Egypt to take a black regiment to Mexico; but we had given the Emperor permission to deport whole tribes, if he pleased, to the notoriously deadly climate of Cayenne. The Treaty of 1861 could not be terminated before eighteen months after July, 1864, but the Governor General of India, by Article 26, had the power "to suspend emigration to any one or more of the French colonies, in the event of his having reason to believe that proper measures have not been taken for the protection of emigrants." It might be objected that should such power be exercised the French could, under the same article, terminate the whole convention, and would probably resume the objectionable emigration from Africa. To this he replied, that if the French chose to disgrace themselves by reopening the slave trade, we should not be responsible for it; but we were responsible for giving our deliberate sanction to what, if his information were correct, was the slavery of our own fellow subjects in India. He was brought therefore to this conclusion—either the information which he had received concurrently from various sources was wholly inaccurate, which he could scarcely believe; or the Consul, whose salary now appeared for the third time in the Estimates, and who was appointed specially to protect the immigrants, and report upon their condition, had utterly neglected his duty, which he could not believe, either; or there were documents in possession of Her Majesty's Government which ought to be communicated to the House, and upon which, in all probability, action ought to be taken. It was for these reasons that he ventured to move, pursuant to notice, an Address for Copy of any Communications from Her Majesty's Consul at Réunion, respecting the condition of natives of British India held to labour in that Island.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of any Communications from Her Majesty's Consul at Reunion, respecting the condition of natives of British India held to labour in that island."

MR. ARTHUR MILLS seconded the Motion.

MR. LAYARD said, he was willing to admit that the information which he communicated to the House last year on the subject of the condition of Indian Coolies in the Island of Réunion was not satisfactory, but the fault did not lie with him nor with the British Consul at Réunion, upon whose reports it was founded. The fact was, that upon the arrival of the ships from India the Consul had means of ascertaining what mortality had taken place on board; and when the Coolies were removed to the quarantine station appointed for their reception, he could keep his eye upon them and observe how they were treated. Once, however, they were distributed over the island, it was extremely difficult for him to keep them under his notice. Perhaps the hon. Gentleman was not aware that no fewer than 47,000 Indians had been taken to Réunion, a large number of them before the convention was concluded between the English and French Governments. These poor persons were so ignorant as very often to be imperfectly aware of how they got there, who were their masters, and what the remuneration for their labour was to be. It had been suggested that they should each have a livret, or little book provided for them, stating in whose employment they were, and other particulars, which might enable the Consul to interfere in their behalf when the necessity arose; but some difficulty had occurred through these books being liable to pass into the hands of persons who had no right to them. In his last report, however, the Consul, Mr. Hill, spoke much more favourably than before of the treatment of the Coolies, both on board ship and after they landed. He stated that he had been over the various places appointed by the French Government for their reception, and that everything which could be desired was done there to promote their comfort. On their arrival they were examined, and if they were found incapable of doing the kind of work they were supposed to be bound under their contract to do, they were placed in a rejected class, called *rebutés*, and then, as it were, thrown upon the public, their contracts being annulled, and no wages secured to them other than they could obtain by competition in the market. That was the vice of the system, but the fault did not lie at Réunion, but with the agents at Madras and Calcutta, who were so anxious to obtain labourers and to fill the ship, that they engaged these people without taking proper care to see that they were in suitable health and condition for their work. Thus, some of them were reduced to great misery. Each of the rejected immigrants, however, had the option of returning home, but the Consul stated the singular fact that only three had availed themselves of that privilege, and that they were all blind men. As far as the Consul and Her Majesty's Government were concerned, everything had been done that could be done to insure that these persons should be properly cared for. What the hon. Gentleman said was true as regarded those who refused to work being removed to *ateliers* for a certain time as a kind of punishment. This appeared to be the only means of punishment, and in many cases, no doubt, proved a great hardship. Of course, our Consul was bound to protect these British subjects if they applied to him for protection; but he could not, under the terms of the Convention, interfere unnecessarily. It would not, for many reasons, be advisable to lay the whole of the papers on the table; but he was ready to show them to his hon. Friend, and if there were any among them which his hon. Friend thought it important or expedient to submit to the House, he would have great pleasure in doing what he could to meet his wishes. Upon that understanding, he trusted the Motion would be withdrawn.

SIR MINTO FARQUHAR said, he had supported his hon. Friend (Mr. Cave) on a former occasion, when he brought the question of the Treaty with France for the immigration of Coolies into Réunion before the House, and he was really surprised to find how truly prophetic the words spoken by his hon. Friend at the time had proved. He was glad to have the opportunity of now supporting him again. They all abominated everything approaching to the name of slavery, and after what had been stated there was every reason why they should specially consider the case of the Coolies sent to this French Colony, who were British subjects, and as such had every claim to their protection. They had all heard of a *mariage de convenance*, but this was the case of a *traité de convenance*, enabling the French Government to introduce a system which really amounted to slavery under another name. The Emperor had, it was true, given up the slave trade, but he was determined, that whatever the English might do, his colonies should not go out of cultivation for want of labourers; and when urged by the British not to procure them from Africa, he consented, on condition that England supplied him with coolies. It was upon this consideration that the British Government entered into the treaty with France; and there was established what was in reality, though not in name, slavery. Earl Russell, in the House of Commons at the time, himself expressed great doubts as to the policy of entering into this treaty; but, he added, the circumstances were so peculiar, that we might try the experiment, the object being, moreover, to prevent a renewal of the slave trade. He felt convinced that the greatest possible vigilance on the part of our Foreign Office was indispensable in this matter. Since the treaty 9,000 coolies had, as he had heard, been taken to Réunion. Having entered into such a treaty with France, the Danes now pressed us for coolies to be sent to Santa Cruz. A competition was thus springing up on the part of other countries for these labourers; and so anxious were the French to get them to Bourbon that they were not particular as to what class of coolies they belonged, but took the weak and infirm and obliged them to work beyond their strength. We never allowed a single coolie to be sent to a British colony without carefully looking after him, from the day he started till the day he arrived, and also during the whole period of his stay there, and indeed up to the time when he was again landed in India. It was only proper and honourable to us that the same protection should be extended over these persons sent to a foreign Colony, who, as the hon. Under Secretary said, were often ignorant and unable to take care of themselves. He earnestly trusted, that unless they were as well treated in the French as they were in the English colonies, Her Majesty's Government would refuse to renew the treaty.

SIR JAMES ELPHINSTONE said, he thought there was a screw loose somewhere in that matter of the Bourbon immigration. The coolies, he must observe, who emigrated to Ceylon and the Mauritius were a perfectly intelligent people, and quite capable of understanding the nature of the bargain they were entering into. It was quite true that our own coolies were well taken care of, and well looked after, both on board ship and in the colonies. They were also, generally speaking, able-bodied men. But that was not the case with the coolies who were taken to Réunion, and if the cripples were cast adrift, as had been represented, our Government ought to take care that none but healthy immigrants were taken to Réunion, and that the same guarantees for their proper treatment while there should be obtained as existed in regard to the coolies in our own colonies. It was not usual for the French, as colonists, to oppress their labourers; but it would seem that a scandalous state of things prevailed at Réunion, though he was sure that a fair representation of any injurious treatment would insure a speedy remedy.

MR. HENRY SEYMOUR said, he thought that if anything was done to check the immigration of Indians into the French colonies, it would be attended with great injury to the coolies themselves. He had always looked upon emigration from the over-peopled regions of the East as the real way of putting an end to the slavery and the slave trade; and he saw no difficulty in their ascertaining the actual condition of these labourers while living in French colonies. When the treaty was negotiated with France, the Government of that country proposed that the immigrants should be placed under the same regulations as those who were sent to English Colonies. Had that arrangement not been carried out? If it had, it was probable that the sufferings of the coolies had not been very great. The term of service in our own Colonies was five years, and the sum of money which each man brought home with him was a sufficient proof that the treaty worked well. Of these sums a Return was regularly made to our Government; and why should not similar Returns be made to our Foreign Office of the savings of the labourers in the French colonies? In that way it might be easily ascertained whether they were less prosperous than our own.

Mr. CAVE said, in reply, that he was quite aware that a large number of Madras coolies had been smuggled into Réunion, and had called attention to the fact in 1860; but his present Motion referred only to those who had been imported under treaty, he considered what had been stated by his hon. Friend (Mr. Layard) as the strongest condemnation that could be pronounced against the system. In acceding to his proposition, therefore, he must say, if they could not agree as to the papers to be produced, he should feel at perfect liberty on some future day to make another Motion on the subject.

Motion, by leave, *withdrawn.*

INCOME TAX.—RESOLUTION.

Mr. HUBBARD said, he rose to move the Resolution of which he had given notice relative to the Income Tax. The provision of funds in a country like England, to meet the large unproductive expenditure, even curtailed as far as the safety of the country would permit, must always be a matter of very serious consideration; and it became still more serious when they considered that their indirect taxation was now narrowed to a very few articles, tea and sugar, the two most important, being subject to heavy duties imposed to assist in meeting a war expenditure. Nothing could be more natural than that there should be a loud and urgent cry for the reduction of these war duties. But a cry, at least, as loud and urgent, was raised for a reduction or removal of the income tax. It was not only unpopular in itself in the highest degree, but its existence was a memorial of broken faith and of the fallaciousness of all prophetic finance. But why should the income tax be thus unpopular? The annual expenditure of this country required an annual provision which must be raised out of the incomes of the people; and at first sight it would seem that an income tax was the most natural source for providing an important portion of revenue. But it was an undoubted fact that the income tax was detested. The only reason for that detestation was that the income tax was founded upon no principle whatever. It was not a creation of their own days, but came from the darkest ages of finance, and had never been proposed but for a temporary purpose—never introduced or accepted but under the solemn assurance that its days were numbered. What was now the prospect of its days being numbered it was not for him to decide; but, whether or not it were retained as a means of raising a permanent revenue or consigned to the armoury of fiscal legislation for future exigencies, he thought it equally the duty of the House not to part with it till they had placed it on a definite and acknowledged principle. Circumstances many years ago had attracted his attention to the working of the income tax, and gave him a peculiar insight into many of its more important provisions. Two years ago he moved for a Committee on the subject, and his right hon. Friend would forgive him for saying that neither the conclusions at which that Committee arrived, nor the rejection by the House of his propositions last year, had left on his mind the slightest feeling of discouragement. Those who like him had been fated to contend with the ablest men of a powerful Government, both in the Committee and the House, would sympathize with him when he said that he never felt more confident in the soundness of his principle and the ultimate triumph of his cause, and he could not acknowledge a defeat in numbers to be a defeat in principle. He was far from undervaluing the force of the opposition which had been brought against him; nor did he believe that either the House or the country thought lightly of that opposition. But if an opposition came with evidence of its being founded on an entire misconception of the principle and misconstruction of the objects at which he aimed, he felt that such an opposition he was bound not to succumb to, but to surmount; and having searched carefully through the whole series of debates he was prepared to give to the articles of indictment against him a distinct and deliberate negative. It had been imputed to him that in the conduct of the question he had propounded an impracticable scheme—that the scheme would create inequalities more numerous and grave than it removed, that he was attempting class legislation, that he proposed to violate a solemn compact with the fundholders, to give undue advantages to the capitalist and the great merchant, and lastly, and the heaviest blow of all, that his scheme was especially hostile to the agricultural interest and would seriously aggavate the damage that interest already suffered through the infliction of the income tax. He met that indictment frankly and fearlessly, and to every one of its allegations he gave an open distinct denial. He asked for nothing but a fair hearing. If the allegations were borne out, let the House reject the plan he proposed. If they were disproved, he thought he might fairly ask the House to bear with him while he endeavoured to supply the deficiency of principle in the income tax, and that he might ask his opponents to reconsider a scheme which they had misunderstood. It had been objected that his was not an original proposition; but so far from aiming at originality, that was the very thing he wished to avoid. The strength of his scheme was not that it was new, but that he could allege in its support the most undoubted and invaluable authorities. Confining himself for the present to the first part of his Motion, he would recall the attention of the House to the principle laid down when the Parochial Assessment Act was passed in 1836. That Act, after reciting that it was desirable that a uniform mode of rating for the relief of the poor should be established, enacted that no rate should thenceforth be allowed unless it were made on an estimate of the net annual value of the several hereditaments, such net annual value to be obtained by deducting the average annual cost of maintenance from the rents of the hereditaments themselves. That was a principle which he thought was most sound. It was a principle which was reaffirmed only last Session by that House, where, in the Union Assessment Act, it not only confirmed previous legislation, but confirmed in distinct terms the very definition to which he was drawing attention—namely, the necessity of arriving at a net annual value before assessment was made. Why, if that were a principle acknowledged to be desirable for local taxation, should it be said to be undesirable or inexpedient for imperial taxation? That was a question to which, if a negative answer could be given, he would be glad to hear it. He had to contend that the same principle was applicable in both cases, but he contended, moreover, that any inequality, any inconvenience, arising in local taxation from the absence of an accurate basis, was trivial as compared with the inconvenience arising from taxation of the gross rental instead of the net, in cases of income tax. At that point he would not trust to his own arguments, but would refer to the highest authority—authority most undeniable on the particular point—namely, that of the Chancellor of the Exchequer himself in 1853. That right hon. Gentleman, in proposing his Budget, said—

> "I estimate that one fourth part of the gross income derived from land and houses goes into the pockets not of persons beneficially interested in them, properly speaking, but into those of mortgagees, annuitants, and others who receive under settlements. If that be so, then it appears that the owners of land and houses do not receive £67,200,000, but from that sum you must deduct the fourth part of £80,000,000, which reduces their income to £47,200,000. This sum of £47,200,000 is then the net receipt of those beneficially interested in land and houses. But you will justly say that the encumbrancers, who receive the £20,000,000 pay the income tax. Well, let us see what their quota amounts to:—7*d.* in the pound on £20,000,000 gives £583,000; deduct this sum from the £2,333,000 paid by the owners of land and houses, and the sum of £1,750,000 will be left, and this is the amount actually paid on an income of £47,200,000. Now, if hon. Members will take the trouble to apply the figures I have stated they will find the result to be this:—That the sum of 9*d.* in the pound on a net income of £47,200,000 would amount to £1,732,500, and that, consequently, under the law as it now stands, the income derived from land and houses is taxed at the rate, not of 7*d.*, but 9*d.* in the pound."

That statement was most important, and he believed most accurate; but he would ask why had the landed interest been left in that most desolate condition for the last ten years? The measure of distress described in those remarks was only the average measure, and gave no idea of some extreme cases that might occur. The total annual value of houses and land was £80,000,000, from which must be deducted £12,800,000 for cost of maintenance, leaving £67,200,000 as the available income. But that income did not belong exclusively to the landowner, the claimants for life interests and mortgagees receiving their shares, upon the net amounts of which they paid income tax. The landed proprietors paid income tax not only upon what they received, but on their outgoings of £12,800,000 besides. Of all the grievances arising out of the mode of levying the income tax none was more oppressive than that which fell upon incumbered land. But these average results did not show the extreme limits of the grievance. He would put a case illustrating facts of which he was personally cognizant. A property was leased at £800 a year. The outgoings might be averaged at 10 per cent, leaving £720; but there was a mortgage upon the property for £16,000 at 4 per cent interest, which swallowed up £640, leaving only £80 net income to the proprietor. The mortgagee paid income tax upon the £640 he received; but the tax being levied upon the whole value of the property, the landowner had to pay, not upon the £80 he received, but upon £160, or at the rate of 1*s.* 6*d.* in the pound, instead of 9*d.* Supposing the rate of interest upon the mortgage debt had been raised to 4½ per cent it would have absorbed £720, thus leaving nothing for the landowner, who, nevertheless, would have had to pay the tax upon £80 a year. When he was told that his plan would create greater grievances than any already existing, he invited hon. Gentlemen to suggest a worse instance than the one he had given. He thanked his right hon. Friend, and he was sure the House would thank him, for having forced this grievance upon their notice; for he confessed he should not himself have thought of searching in Schedule A for the graver defects of the law, being satisfied, that as his principle was sound, it must in application correct any grievance arising from comparative poverty or riches. The grievance was now clearly exposed, and he thought it required great confidence to tell the landed interest that they were benefited by the present arrangement of paying upon sixty-seven millions, when in fact they only received forty-seven millions. Although he did not pretend to be the friend of any particular interest, but was simply acting in the cause of justice, he declared that no charge could be more unfounded than that the plan he advocated would aggravate the injury suffered by the landed interest. In making such a charge the right hon. Gentleman had, without intending it, misled the House, especially when he stated the effect of the proposed change would be to raise the tax upon the unencumbered residue of landed property from 11½*d.*, as at present, to 13½*d.* in the pound. The question to be considered was how were the grievances which he had pointed out to be removed. There was one effectual but simple method of dealing with them, and that was to apply to the case of income tax upon the rent of land and houses precisely the same principle as the House had affirmed to be proper in the case of local taxation—namely, to place the tax on the net ratable value of the land. Let that be done, and all inequalities would vanish, for whatever might be the amount of income the tax would be divided ratably among all parties interested. And he would remind the House that the mortgagee, whom he wished to see fairly sharing the burden of taxation with the landed proprietor, was the rich capitalist, whom it was alleged his scheme would chiefly benefit. If the House would refer to a Parliamentary paper published last year, and numbered 397, and would reduce the results to a 9*d.* tax, they would see that he had ground for affirming that the assessment on land and houses, combined under the wider operation by the scheme he proposed, would be 9*d.* and 64-100ths. That was the point to which the assessment of real property would descend from 11½*d.*, at which his right hon. Friend fixed it under the present system. It was not merely land or houses that would receive benefit from that rational mode of taxation, but mines, quarries, and every kind of property would share in it equally; nay, it would carry relief even to that most helpless individual, the owner of a terminable annuity, who would find comfort and relief in the application of that simple principle of taxing nothing but net income. To show how that relief could be given, he had only to refer again to what had been done by legislation under the guidance of the right hon. Gentleman opposite. In 1846 the Government lent £3,000,000 to landowners, to be repaid by annual instalments extending over twenty-two years. Under the ordinary operation of the law those landowners, in making their instalments, would be entitled to deduct the income tax on the whole amount, as in 1853 a measure was introduced, or rather a provision was introduced in the general measure of the budget to the following effect:—

> "That whereas advances of public money have been made, and the repayment has been secured

by a rentcharge, by which the principal sums advanced will be eventually repaid with interest, it is just that provision should be made for deducting the duty charged by this Act in proportion to such interest."

With regard to that, Mr. Timms, the law adviser to the Board of Inland Revenue, said that the circumstances were peculiar; and the peculiarity seemed to be, that whereas in the case of every other terminable annuity the State was the debtor, in these peculiar Acts the State was the creditor; so that it deliberately made a law carrying out with regard to its debtors a principle which it utterly denied as a matter of justice to its creditors. He wished to know whether in England such an utter subversion of justice should be tolerated as thus to make one law for the debtor and another for the creditor of the State. For his own part he thought, that if they wished to make the income tax regarded with constant hatred and contempt the Government could do no better than perpetuate such a law.

He next passed to the second clause of his Resolution, relating to the relief of industrial incomes. That question had already been argued most largely, and he would therefore simply state the principle he adopted:—" Industrial profits are partially applied as income to purposes of expenditure, the residue passes into investment, and as capital yields new products for taxation. If therefore the portion saved is taxed, it is taxed twice—first as profits and again in its subsequent products." The question had been looked at in every possible light, but there was a general agreement in demanding very nearly the same remedy—namely, a concession in the amount of assessment. Here, again, he would refer to legislative precedent. In 1853 a clause was introduced into the Bill for the renewal of the income tax, awarding to the extent of one-sixth of his income a remission of the tax to every individual who spent the portion so saved in the purchase of life policies. He asked Mr. Pressly, chairman of the Inland Revenue, upon what he conceived the policy of that concession to be founded, and his answer was distinct. He said that that portion was exempt from taxation " because it was considered no part of a man's income." The principle was excellent; the mode in which it was carried out was open to grave reprehension. He would state this objection in the words of a most able and critical writer of the present day, who remarked—

> " It is no part of the duty of the State to give bounties to saving, or to lay penalties on expenditure. The State cannot put itself in the position of individuals, and judge for them; and as it cannot judge whether it is better for a man to save or to spend, it ought not to interfere. A father, for instance, may do more wisely if he expend £200 a year in giving his son a good education than by laying by the money, and the State ought not to punish him for doing so."

At the present moment the following case might arise:—A and B, two men in the same profession, each received £1,200 a year. Of that income A spent £200 a year in the education of his son, and B £200 in the purchase of a life annuity. The law remitted the tax upon B's life policy and it taxed A for his expenditure upon his son's education; so that, as now administered, it contravened the excellent policy laid down by the right hon. Member for Calne (Mr. Lowe). Now, his proposal was that upon professional incomes a concession should be made of one-third, and A and B would therefore both be taxed upon £800, and would be left perfectly free to apply their respective incomes as they chose. While, therefore, he adhered to the principle affirmed by the Act of 1853, he entirely condemned the mode in which it was endeavoured to be carried out, believing that nothing could be more tyrannical and impertinent than for the law to interfere and dictate in what shape a man should make his investment in order to be entitled to exemption. His proposition was conceived in the very words of his right hon. Friend in 1853, and that, he thought, must commend it strongly to the acceptance of the House. His right hon. Friend might, indeed, say, " It is one thing to admit that a certain remedy is desirable, and another thing to say that it is practicable." Now, upon the practicability of his scheme he could not wish to find more trustworthy evidence than that of the late Chairman of the Inland Revenue Office. An admirable servant of his country, Mr. Pressly, was a most rigid adherent to things as they are, and under the influence of this strong Conservative tendency, with a strong perception of what was the feeling of the Government, he was not likely to concede any point which he did not feel bound as a man of honour to concede. Mr. Pressly was asked what were the points as to which he would find a difficulty in carrying out this measure. He mentioned two points. That was in the very earliest stage of the inquiry; but towards its close Mr. Pressly, having had laid before him papers relating to these two subjects, distinctly admitted that upon both points his difficulties were removed, adding that he had no objection to offer upon any other portion of the scheme. He appealed, therefore, to this as conclusive evidence in favour of the practicability of his proposal; and he might mention—not out of mere display, but to show that he had tried to set his mind to the solution of this question—that he had in his possession, drawn up by an eminent draughtsman, every provision which would be required to carry out his scheme.

Another and very serious charge was that his scheme would create inequalities more numerous and more grave than those which it removed. Now, the only grievance of that kind which had come to his knowledge was this—that he proposed to treat upon a different footing the profits arising from public companies and from private partnerships. With respect to public companies, they consisted of managers and clerks, who supplied the skill, labour, and intelligence, and of proprietors, who supplied the capital, had nothing whatever to do with the management, and received their dividends at the appointed time, just as they would the interest of money in the funds or in any other investment. At present the law taxed both those classes equally, but, according to the principle he submitted to the consideration of the House, the dividends of public companies would be fully taxed, while the intelligent managers and clerks who carried on the business would receive a proportionate abatement on the amount of their stipends or salaries. In private companies the partners among themselves provided both capital and management, and the result was one and inseparable. It might be said, that in perfect analogy with the case of public companies the capital and profits of partnerships should be separately assessed. There might be some large establishments which would make the requisite return; but nine-tenths of the whole number would be unable to do so, for they could not dissever the value of the capital from the value of the services which made that capital productive. In like manner, though there might be some instances in which professions were carried on with nothing but skill and intelligence, yet, generally speaking, capital, in one way or another, crept in, and contributed to professional profits, so that a distinction could not be made between professions and trades, and a principle could not be laid down on which separate assessments could be made.

It was also stated, that the rich capitalists and bankers were his clients, and that he was endeavouring to obtain for them a very unfair and improper advantage. Now, bankers' securities consisted in part—far the largest portion of them—of Government securities, railway securities, and private and public bonds, on the interest of which they paid income tax, and it never reached them without the deduction of that tax. As regarded the whole of that source of revenue, the effect of his proposition would be, that, instead of diminishing, it would aggravate the burden of their contribution to the Exchequer. With regard to the great brewers, great merchants, and others, they had a special advantage under the 133rd clause of the Act, which declared that whatever might be the amount of the average profits upon which they had been assessed, they should in a subsequent year be assessed wholly on the amount they had made; and that if that amount fell ever so far short of the average they returned, they should be entitled to the full abatement. Mr. Pressly said, that under the operation of that clause, great merchants, great brewers, and great manufacturers, whose profits were subjected to vicissitudes, had the means of escaping paying half or little more of the income tax, in the most legal manner. He asked why those individuals should be entitled to this prerogative, which was not shared in by professional men, by salaried officers of the State, or by *employés* in private life? He asked those persons to surrender that peculiar privilege, and take their share of a more fair and equitable taxation. There was another point on which he desired to offer an observation. Whenever it was desired to make a hard hit in debate, something was said about keeping faith with the fundholder. The English mind was peculiarly sensitive, and very rightly, on that point; but by his proposition the funds would not be taxed in any special manner, but would be treated only like other analogous income. As to the charge of class legislation, he wished to say, that no charge, in his opinion, could be considered more odious; but he challenged any one to point to a single word in anything he had said or written on the subject which could bear such a construction. He had felt it his duty to explain his scheme for the purpose of showing its consistency and safety, but he would, on that occasion, simply submit to the House the proposition, "that with regard to invested property, net income should only be assessed, and that some abatement ought to be made, for the purpose of taxation, from the net amount of industrial incomes." No result was more to be dreaded than that those who were aggrieved by the existing system should be driven by a continued refusal of relief into a stolid indifference, and should say to the Government, "Do your worst; we will take care of ourselves." He wished to press on the House the necessity of laying down some definite course of policy, and of directing the Government to reconstruct the tax, if it was to be renewed, in such a manner as to carry out what Adam Smith had declared to be the essential principle of all taxation, "That the subjects of every State ought to contribute to its support in proportion to the revenue which they may respectively enjoy." He therefore begged to move, as affirming the principle of an income tax—

"That, in the opinion of this House, the incidents of an Income Tax touching the products of invested property should fall upon net Income, and that the net amounts of industrial earnings should, previous to assessment, be subject to such an abatement as may equitably adjust the burden thrown upon intelligence and skill as compared with property."

MR. LEATHAM rose to second the Resolution, and said: Mr. Speaker, Sir, I think that any one who proposes to reconstruct the incom tax upon some simple principle which shall remove all its inequalities and render it a tax justly levied upon the revenue of every one, must be either strangely unfamiliar with the difficulties which beset this question, or singularly confident in his own omnipotence. But although I fear that we must despair of doing justice to everybody, that is no reason why we should despair of redressing some of the more prominent inequalities, and so doing to large classes of persons a justice which, if it be not absolute, is at least comparative and approximate. If it be contended that with all our Amendments there must still remain much injustice unredressed, it is at least worth while to see whether we cannot reduce the sum of our necessary injustice to a *minimum*; and if it be objected that the tax is in its operation so full of inequalities that we are bewildered where to begin redressing them, instead of sitting down patiently under such a confession on our part, I fear that taxpayers will rather incline to use the language of a great statesman, once a very eminent Member of this House, and to ask whether "they are to despair of justice because they have need of so great justice." And, Sir, a special reason for moving in this matter now seems to me to be afforded by the change which has taken place in the policy of those who are for maintaining the tax as it is. The plea which used to be put forward was that the tax was lying under sentence of death, that it had but a little time to live, and that it was not worth while elaborately to reconstruct an impost which was trembling upon the verge of dissolution. But all this is changed now. The right hon. Gentleman the Chancellor of the Exchequer, who told us, in 1853, that "it was on all hands agreed that this tax was not adapted for a permanent part of your fiscal system, unless by reconstruction you could remove it inequalities," is now the strenuous advocate of an unadjusted income tax, and tells us, for our comfort, in the same breath, that "he thinks some better Chancellor of the Exchequer may, in some happier times, achieve the great accomplishment of abolishing this tax." Why, the right hon. Gentleman has even discontinued the performance of the annual pantomime, in which he carried the tax with great pomp to its burial, and then with equal pomp restored it again to life. The tax has not even the decency to die once a year, but has taken its place among the permanent sources of the revenue. And if any one were in doubt as to the policy of the Government with reference to it, he has only to refer to the evidence taken before the Committee appointed the year before last, and to watch the part played in that Committee by Members of the Administration. Besides the Chancellor of the Exchequer, then sat upon the Committee another right hon. Gentleman, the Vice President of the Committee of Council on Education, who lavished his ingenuity upon the answers of illogical physicians and other well-meaning persons who had only English common sense to help them, and who were therefore babes and sucklings in the hands of a right hon. Gentleman armed with all the logic of the schools. And since I have referred to the Report, permit me to express the disappointment which I believe the whole commercial community experienced at the abortive result of the labours of the Committee. Besides the illogical physicians, they examined some of the first statisticians and some of the most eminent political economists in the country. The most elaborate argumentation took place; every point was examined with the utmost nicety; no effort seemed to be spared in order to mystify and complicate the question; and then, when they had led us step by step into the very heart of the labyrinth, and we were looking to them for the clue which was to lead us safely out again, your Committee blew out the light and laughed in our faces. Yes, Sir, after this prodigious labour of the mountain, this ridiculous mouse of a Report was born. Nor can it be contended that the Committee had no leisure to prepare a Report. By a reference to the blue-book, I find that they took a whole month to frame it. They had an abundance of digested materials. The hon. Chairman prepared a Report. That Report they discarded—they do not vouchsafe to tell us why. For anything we can gather, for no better reason than that which made Dr. Fell so unpopular. The right hon Gentleman the Member for North Wilts—whom I regret not to see in his place—whom we all regret not to see in his place—who has devoted much attention to this question—prepared a Report. That was discarded. The right hon. Gentleman the Vice President prepared a Report, which was at least a high intellectual treat. That was discarded. The hon. Baronet the Member for Stamford prepared a Report. That Report was embodied in the Report of the Committee. But before embodying the Report of the hon. Baronet, the Committee took an unusual precaution—they disembowelled it. Having emptied out the Report of the hon. Baronet, they proceeded to fit it up with an interior of their own manufacture, the substance of which was that the objections to this tax were objections to its essence and nature, and not to its incidence (although how the Committee extracted that from the evidence I am at a loss to conceive); and secondly, that you must not reconstruct the income tax without taking into consideration the pressure of other taxation upon the various interests of the country, and especially of the succession duty. Why, Sir (although I know that another opinion has been expressed in this House), unsophisticated persons in the country imagined that the succession duty was imposed in order to remedy a great and startling injustice under which personalty laboured when passing from father to son—although how completely it has failed to do so, through a system of evasion, there is no one in the House so well qualified as the right hon. Gentleman himself to tell. And as regards the pressure of other taxation upon the various classes in the country, I commend the discretion of the Committee in that they did not carry their investigations into this branch of the question; for had they done so, I am convinced that such an investigation would have disclosed anomalies in quite an opposite direction, which perhaps it would be safer to conceal. And this is the Report which is to extinguish the most wide-spread discontent which was probably ever excited by any unjust direct tax, and which is to eradicate the profound and universal instinct by which, from one end of the country to the other, the injustice of this tax has been condemned. When such was the Report, and such the men who framed it, we naturally enough supposed that they were reserving the reasons upon which it was founded for purposes of debate. It was therefore with considerable anxiety that we awaited the debate which took place when my hon. Friend brought his Motion before the House. We saw the name of the hon. Baronet upon the paper. I think we saw the right hon. Gentleman the Vice President in his place. We expected much from both the right hon. Gentleman and the hon. baronet. My hon. Friend made his statement with his usual clearness. He was ably seconded by my hon. Friend the Member for the City. We looked towards the hon. Baronet and the right hon. Gentleman. The hon. Baronet withdrew from the paper, the right hon. Gentleman retired from his place, and the Chancellor of the Exchequer was left single-handed to vindicate the Report of the Committee, and to dispose of the case of my hon. Friend. Now, I am not going to deny that the right hon. Gentleman made on that occasion a most masterly speech. I have seldom listened to a speech of the right hon. Gentleman which was otherwise than masterly. We all know that the right hon. Gentleman possesses, in an eminent degree, the faculty of clothing the dry bones of a financial question like this with comeliness and life. We all know that he often illustrates and embellishes the whole with his eloquence, and now and then that he condescends to throw over it the brilliant halo of his imagination. If ever the right hon. Gentleman dazzled the House, it was upon the occasion to which I refer. He positively extinguished the debate. I watched hon. Members who had intended to take part in it, quietly return their papers to their pockets. I must confess that this was exactly my own predicament. But when we had had time to get from under the fascination of the right hon. Gentleman—when his speech appeared on the prosaic page of *Hansard*, we began to wonder how it was that it had made so profound an impression upon the House. And now, if I do not weary the House, I should like to state why (although I generally follow the right hon. Gentleman into the lobby) his line of argument upon that occasion does not appear to me to have been perfectly conclusive. The right hon. Gentleman, after having congratulated my hon. Friend upon his inflexible will in persevering with his Motion in the face of the adverse Report of his own Committee, proceeded to develop the argument upon which he evidently relied for the discomfiture of my hon. Friend. He said that the plan of my hon. Friend, if carried into execution, would create a gap of two and a half millions in the revenue, and he asked my hon. Friend how he proposed to fill up that gap. Now, if my hon. Friend had possessed the gift of prescience—if he could have foretold that the Government could by a scratch of the pen, without in the least impairing the efficiency of the services reduce the Estimates by a couple of millions, he would have possessed the key to a ready reply. But, of course my hon. Friend was ignorant of this fact. No doubt the right hon. Gentleman then was equally blind to it; because, if I remember rightly, it was at a subsequent period of the Session that those events occurred which brought sudden conviction to the minds of Ministers. And, Sir, I may say, in passing, that I shall be much surprised if the present Session should close without the pressure of events which will have the effect of carrying those convictions to a point which they have hitherto failed to reach. At that time, however, the right hon. Gentleman was unable to devise any means by which the gap could be filled up, except the imposition of an extra income tax of threepence in the pound. Now, it is wonderful how the fertility of resource of the right hon. Gentleman varies with circumstances. It reminds one of the fertility of the soil in some of the neighbouring counties. One moment the soil is deep and rich, unfathomable and inexhaustible. You mount a gentle eminence, and the fertility ceases. You are told that you have come upon the chalk. I have observed that when the right hon. Gentleman is preparing a budget his resources are inexhaustible, but when any one else proposes changes in our system of taxation which would result in a loss to the Exchequer, there is an end of the right hon. Gentleman's fertility of resource. We come at once upon the chalk. But on the supposition that all the other sources of revenue are already exhausted, and that a corresponding reduction in the Estimates is impossible; is it certain that we have so large a sum as two and a half millions to provide for by an extra income tax? My hon. Friend expects that the attempt to do justice to Schedule D will have a salutary effect upon the conscience of Schedule D, and that a large sum will be recouped through this resurrection of conscience. The right hon. Gentleman tells him that such an idea is altogether visionary. Now, so far as I am competent to form an opinion, I have formed one half way between that of the right hon. Gentleman and that of my hon. Friend. No doubt, when you have for years and years schooled men in duplicity and then proceed to set them a righteous example, you will find them better adepts in your first lesson than in your second; but I would beg the right hon. Gentleman to remember that a number of persons come every year for the first time under the operation of this tax, and that they, at all events, will not be tempted to commit fraud upon the specious plea that they do so in order to resist the fraudulent pressure of an unjust tax. Then there is the omission of Clause 133, as suggested by my hon. Friend. I believe that a large amount would be recovered from the omission of this clause, and that this additional advantage would accrue from its omission, namely, that it would hit large bankers and brewers—persons whom the right hon. Gentleman pursues with relentless hostility. But, Sir, I must protest against the manner in which the right hon. Gentleman draws a sharp line between the classes taxed under the different schedules. He tells us one moment that it is impossible to tax different classes differently in this country, as you might in India, because they all blend imperceptibly into one another, and the next he draws a sharp line between them, as though they were hopelessly distinct. It seems never to have occurred to the right hon. Gentleman that rich bankers and brewers may be taxed under more than one schedule. It seems never to have occurred to him that rich bankers and brewers are in all probability great landowners, great fundholders, and great holders of railway shares. And so universal is the application of this remark, that I believe rich bankers, brewers, merchants, and manufacturers would not gain a shilling by the scheme of my hon. Friend; for they would lose with one hand what they gained with the other. It is not for them, therefore, we demand justice, but for the 400,000 industrial and professional incomes, compared with which the incomes of rich bankers and brewers are but as a drop in the ocean. Well, Sir, from both these sources we should probably gain no inconsiderable sum—but the probability is that we should still have to provide for a deficiency of two millions, should the plan of my hon. Friend come into operation. Now, referring to the statistics, for which my hon. Friend moved at the close of last Session, I find that the distribution of an extra income tax to cover this amount would raise the tax on Schedule A to a fraction above 10*d.* in the pound, and lower the tax on Schedule E (the farmer's) to rather more than 7¼*d.*—and blending these two rates together, as we have a right to do on the supposition that this tax will be perpetual, we shall find that the tax upon land will be raised from 9*d.* to 9½*d.* Now, I do not think that the imposition of this odd halfpenny is likely to breed—

> "Red ruin and the breaking up of laws,"

as the right hon. Gentleman appears to anticipate—and mark how the right hon. Gentleman piles up agony for the territorial interest. He tells them that, owing to the fact that most estates are more or less encumbered, and that the tax is levied upon the gross income, they pay already 2*d.* in the pound on the average more than they ought to pay. Well, I admit that this is a grievance. But what is its cure? Has the right hon. Gentleman proposed any? No, but my hon. Friend has. His proposition that net income alone should be taxed is the cure. But the right hon. Gentleman tells hon. Members opposite, that if they pass the measure of my hon. Friend, they will find that it will be materially improved upon in subsequent years. The right hon. Gentleman tortures the confiding imaginations of hon. Members with vague spectres of spoliation and confiscation to come. Now, why does the right hon. Gentleman do this? Because the right hon. Gentleman wishes to convince hon. Members that this scheme of my hon. Friend's, if it be not a deep-laid plot to destroy the social fabric, is at least the commencement of a strenuous struggle between the classes. But who is it who is the first to raise the cry of class against class? my hon. Friend or the right hon. Gentleman? Why I remember that two years ago the right hon. Gentleman, two or three times on the eve of a division, informed hon. Gentlemen opposite with a reiteration and an emphasis from which there could be no escape, that the struggle was not between himself and my hon. Friend, but between Schedule A and Schedule D. Nothing can be more adroit, nothing can be more admirable from a rhetorical point of view than the way in which the right hon. Gentleman deprecates the spirit of discord while steadily infusing it. But I think that the right hon. Gentleman pushed his happy intrepidity to the extreme when, after having proved to hon. Gentlemen opposite that it was their interest to reject the scheme of my hon. Friend, after having appealed to every selfish and sordid feeling, he wound up his speech by a peroration in which he besought them to have the manliness and virtue to vote against my hon. Friend—the manliness and virtue to vote in strict accordance with their personal interests! But it is not only the landed interest which will be unfairly taxed under the plan of my hon. Friend. There is the public creditor. The right hon. Gentleman tells us that Sir Robert Peel and Mr. Pitt were of opinion that to tax Schedule C in full, and the other Schedules not in full, would be equivalent to laying a special tax upon the funds. But Mr. Wilson, a high authority upon matters of finance, and a more recent authority than either Sir Robert Peel or Mr. Pitt, arrived at an opposite conclusion. In his memorandum—part of which I hold in my hand—he proposes to tax the fundholders' income at 7*d.* while he taxes traders' profits at 4*d.* Now, there is another argument which is a great favourite with the right hon. Gentleman, and it is this:—That because there is a great disparity in the relative value of incomes in Scedule D, make what abatements we may, we shall still leave an immense amount of relative injustice unredressed. The right hon. Gentleman, in proof of this assertion, compares an income worth a few years' purchase, with that derived from a bank—a business which he estimates to be worth twenty-five years' purchase. Now, I feel infinitely obliged to the right hon. Gentleman for the high opinion which he has expressed as to the solidity of the kind of business in which I happen to be engaged. But will the right hon. Gentleman think me very ungracious and ungrateful if I say that his estimate appears to me to be so wild, so rash, so remote from the truth, that I am perfectly at a loss to conceive upon what grounds the right hon. Gentleman has arrived at so incredible an assumption. Does the right hon. Gentleman ask the House to believe that a capitalist would invest his capital in a business involving no inconsiderable risk, and, as we flatter ourselves, requiring no inconsiderable skill, upon such wretched terms as only to return him 4 per cent? It so happens that I was asked only the other day by a friend of mine (one of the most eminent private bankers in the North of England) at how many years' purchase I should put a banker's business? I at once replied that there was no banker's business in the country worth more than ten years' purchase. My friend demurred at my estimate, "Say rather five or six," said he. Now, if there be any truth in this estimate, what becomes of the argument of the right hon. Gentleman which is based upon the immense disparity in value of incomes in Schedule D? But I wonder that the use of such an argument did not suggest to the right hon. Gentleman a test by which to measure the iniquity of this tax. If it be so unjust to tax at the same rate incomes from professions worth five years' and incomes from professions supposed to be worth twenty-five years' purchase respectively, how much more unjust must it be to tax at the same rate incomes like that of a lawyer, which the right hon. Gentleman tells us is not worth a single shilling in case of his death, and incomes like those derived from land worth thirty or forty years', and in many parts of the county in which I reside fifty years' purchase? Now, there is only one more argument employed by the right hon. Gentleman to which I wish to reply before I sit down—namely, that which is based upon the proposition that Schedule D has no claim to an abatement because many persons in Schedule D take care to do themselves justice in the process of self-assessment, that is, by falsifying the returns. And first, I would recall the admission of the right hon. Gentleman made two years ago, when he stated his—

> "Conviction that a large portion of those who pay under Schedule D pay every farthing that they ought, and in many cases of doubt rule the doubt against themselves."

And I would ask the right hon. Gentleman what kind of justice he is doing to these meritorious persons who, rather than evade the unjust impositions of the State, conspire with the right hon. Gentlemen in defrauding themselves, and who, in return for the exercise of a lofty morality, are told by the right hon. Gentleman, "It is all very well for you to talk about the morality of your class, but we know that in the folds of your schedule lurks all the roguery in the country?" But what is the right hon. Gentleman in effect saying to those who do themselves justice at the expense of truth and of the State? Is he not saying this?—"We are aware that you falsify the returns, and upon this fact we base our defence. We incorporate your falsehood into our system. Your falsehood and our injustice stand there face to face, confronting and neutralizing one another. What matter, so long as practical injustice is the result?" Let me tell the right hon. Gentleman that by persisting in the use of this argument, and persisting in a system of unjust taxation, admitting of the safe and ready remedy which he indicates, he is undermining the morality of a class upon whose high sense of honour, more perhaps than upon that of any other, the credit and reputation of this country in the eyes of foreign nations depend. And let me venture to remind him that the House of Commons is no mere vestry of tax-makers, but that we are supposed to be the guardians of the public morality, and the source of public justice, and that in this high character it becomes us to exhibit to the nation at all times no equivocal—I had almost said no disreputable—example, but especially when, as now, we were seeking to impose an obligation—abnormal, odious in itself, altogether removed from that public observation which is the safeguard of public morality—ought we to assume an attitude, the justice of which does not depend for its vindication upon the refinements of reasoning, but appeals at once to the public conscience—to the profound and intuitive instincts of our countrymen.

Motion made, and Question proposed.

THE CHANCELLOR OF THE EXCHEQUER: Sir, there are certain acts, the repetition of which enables a man to cast aside whatever degree of bashfulness or shyness he may have previously exhibited in performing them. I am sorry to say that the repetition of the same annual speech on the same annual Motion is not one of those acts; and I most sincerely state to the House that it is with some degree of bashfulness that I feel myself compelled, by the Motion of my hon. Friend, to revert to the discussion of a subject which, as far as it can be opened out in a debate of this kind—and I am one of those who think it is not likely thus to be very fully opened out—is, to a certain extent, of a threadbare character as regards the principal topics and arguments it embraces. My hon. Friend appears here as a reformer of the income tax, and not only as a reformer of the income tax, but likewise as the advocate and champion of a particular plan. He does not appear as a reformer of the income tax in general, for no man has more mercilessly than my hon. Friend the Member for Buckingham cast aside, rejected, and repudiated the plans of every previous reformer. He enjoys, indeed, an absolute certainty that the plan which he himself proposes is, in all its essential parts, perfect and invulnerable; and if he could but convey to the minds of others that undoubting sentiment with which he himself regards it, certainly he would lead us at once to the adoption of his scheme. But I must be permitted to say this, that while I resist the project of my hon. Friend as being, in regard to its impracticable and visionary character, on a footing with the other schemes which he joins me in repudiating—nay, as being a scheme much more vulnerable in argument than those which he rejected because he found them so defective—I do not stand on the proposition that the structure of the income tax is to be defended as being, in all its parts, entirely agreeable to justice. It is not possible, I believe, to devise a tax of this kind which shall not be full of inequalities and anomalies. Still, the inequalities and anomalies of the income tax, as they now exist, have at any rate this advantage—an advantage which even the faults of every established tax possesses—namely, that they are in some degree understood, and that the back has, in some degree, adapted itself to the burden. But the faults, the anomalies, and as, I think, in most cases the injustices, which my hon. Friend proposes to introduce, have the additional disadvantge of novelty—a novelty which, to the speculative mind, may constitute an attraction, but which, if it even were the fate of my hon. Friend to have to propose his plan as a practical measure for the adoption of the House, he would find, when once he had to consider it as a question of legislation with a view to the supply of the public necessities, that to shift anomalies and injustice from one side to another is not merely not to remedy an evil, but to exchange an existing evil for another still worse and more difficult to bear.

Sir, my hon. Friend has submitted to us two Resolutions, and he proposes them with the same confidence as he projected them last year. But I must again point out to him that upon which I have dwelt, when formerly engaged in argument against him—namely, the predicament in which he stands with reference to recorded authorities on this question. He spoke himself of an entire misconstruction of principles and misconception of objects on the part of those with whom he has to contend. But, at any rate, this must be admitted, that on a matter of such a character authority is of great importance, because the authority of men in such a case is not a naked and bare claim to domineer over the minds of others, but is the expressed result of the experience of those who have come nearest to this question, who have most closely and systematically examined it, and who have been obliged to adapt their conduct in this House to the principles which they found practically applicable to the subject with the least amount of objection. In that sense my hon. Friend does not doubt that the two greatest Finance Ministers of this country—if I may presume to form or pass an opinion upon our Finance Ministers—Mr. Pitt and Sir Robert Peel—have both considered this question, and have both left the tax as a uniform income tax, not, indeed, as the image of perfection in our fiscal system, but as that form on which, as wise, prudent, and practical men, they found it necessary to take their stand. But the question has also a more recent history, and that history is somewhat remarkable. A Committee was appointed in 1850 to consider, not the plan of my hon. Friend, but a plan which so far agreed with it that it aimed at a reconstruction of the tax in favour of those classes whom, at the expense of other classes, he now proposes to relieve. Now, what was the history of that Committee?

The inquiry was voted by the House, if not unanimously, by at least a large majority. Every one was desirous of inquiry, and those who projected the investigation made the most sanguine and confident announcement that they would prove their case before it. The Committee sat; it examined the matter patiently; it ended by making no Report. That plan entirely broke down. Nor was that all. There were Gentlemen of eminence in this House who went into that Committee completely wedded to the plan of reconstruction, and who came out of it either entire converts to the principle of the present tax, or, at all events, greatly shaken in their adhesion to the scheme for reforming it. I have been told—and I may be contradicted if I am wrong—that my hon. Friend the Member for Rochdale (Mr. Cobden), who entered that Committee with the utmost confidence in the practicability of the re-adjustment scheme, was entirely shaken in his belief as to its feasibility by hearing the evidence adduced. And it is perfectly well known that another Gentleman, then a Member of this House, and not second to anybody in his knowledge of, and fitness for dealing with, politico-economical questions—Mr. Ricardo—went into the Committee of 1850 prepossessed in favour of that scheme, and came out of it convinced that its agitation was mischievous and its adoption impracticable. Well, we had another Committee, on the urgent application of my hon. Friend, in 1861. How was it composed? My hon. Friend himself will not deny that which I am now about to assert. He did not lose his Report. His scheme was not rejected by that Committee, because it was a Committee which went to its inquiry with foregone conclusions adverse to his proposals. Some of the Members were opposed to the present mode of levying the tax; others were favourable to it; but the majority depended upon minds which were entirely impartial. Yet how did that inquiry end? By the adoption of a Report wholly hostile, to and condemnatory of, the scheme of my hon. Friend. And the reason why that Report was carried was because the majority who agreed to it consisted of men who were brought to their conclusions in consequence of their labours and inquiries on that Committee. Sir, these are facts of great importance. It is very easy to discuss a matter of this kind in the House of Commons, but something is due, in point of authority, to the conclusions of those who have been selected by the House for the purpose of examining in great detail a particular question of great intricacy and complexity. And when it is found that Committee after Committee closes its investigations with a mind more adverse to such schemes as my hon. Friend's than that with which they began them, that is a fact of great significance, which not all the ingenuity of my hon. Friend can shake. And although I do not pretend for one moment to say that the House is to be governed by the authority either of Ministers or of Committees, in opposition to its own conviction, yet it is an element of great weight in the case, which it would be highly for the interest of my hon. Friend's argument if he could eliminate from it, but the force of which I think we must all feel it difficult reasonably to disregard.

My hon. Friend the Member for Huddersfield (Mr. Leatham) made a very ingenious speech, but how does he know what may happen to himself? Other Gentlemen, ingenious like him, and with the same leanings, looking at the question from a distance, have thought to reform the income tax; but when they came to look at it more narrowly, have found, not that the present tax stood free from fault and blame of almost every kind, but that it was unwise to encourage the agitation of schemes which in themselves are impracticable, and tended to excite hopes and expectations that cannot be realized. Now, my hon. Friend, rejected by his own Committee, and having himself rejected the favourite schemes of reformers in the preceding Committee, after having had his Motion likewise rejected by a large majority in the House, comes forward with unabated confidence, and again submits his propositions; and I must say my hon. Friend, as he adds to the numbers of his campaigns, together with his experience—I had almost said together with his misfortunes—exhibits no small increase of hardihood. This evening he has adopted a much bolder tone than on any former occasion. He has undertaken to show us that there cannot be a greater mistake than to suppose that his proposition is favourable to the great capitalists, bankers, merchants, and brewers. That, says my hon. Friend, is all a mistake. Those gentlemen have all property invested, not, as we all thought, in their business, but in the funds and railway shares, where it is subject to the highest rate of tax. My hon. Friend is so modest with respect to Schedule D that he will not allow himself to assume the smallest credit as a benefactor to that unfortunate interest; and when he deals with Schedule A, he adopts quite an opposite tone. He says there cannot be a greater mistake than to suppose that I am going to augment the burden on Schedule A. He quotes an entirely impossible case of a gentleman with £800 a year, derived from landed estate, and that £720 of it may be put out on the interest of a mortgage. I certainly am not conversant with such a case, but he says, "This is a most cruel case. I have shown that under the present law such a man, instead of paying 9*d.* in the pound, may really pay 1*s.* 6*d.*; whereas under the plan I propose he will only pay 10¼*d.*" Let us, then, try that issue. Does my hon. Friend admit or not that his is a plan to relieve one class at the expense of another? If he says that he does not impose unjust burdens on Schedule A, I fully admit he is not half so unjust to Schedule A as to some others. I don't know on what principle he has been pleased to select some descriptions of income which are generally considered most fluctuating and uncertain, in order to smite them with the weight of his right hand and lay on them the full weight of the tax. In his printed paper railway and canal property is to pay the highest tax. Canal property! Canal property, under railway competition, has undergone severe pressure and reverse, but he selects it for agreeable prominence in taxation, while he makes a deduction of one-third from every flourishing business in the City of London. Then with regard to railway property—I hope there is no railway shareholder in this House — if there be, he will judge what kind of remedial scheme that is which leaves railway property taxed as now at the full rate, and puts an extra tax on it, in order to give relief of 33 per cent to every flourishing business in the City of London. Is the income from railway property such a very flourishing income? I trust there is no person connected with the Great Western Railway present. Its dividend took a great jump upwards; but something of this kind lately happened, that the shareholders, enjoying an income of £3 per cent one half-year, the next it dwindled to 5*s.* per cent; but my hon. Friend has no mercy for such an income, and he proposes to levy a sur-tax for the benefit of those who are to enjoy a reduction of 25 per cent. My hon. Friend assumes an over-modesty with respect to Schedule D, and a degree of confidence, of innocence, towards Schedule A, of which he is hardly entitled to claim the benefit. His inference meant, if it meant anything, that he would give an effective reduction on Schedule A. Is that so, or is it not? Let us understand. Is the plan to relieve everybody out of some bottomless purse possessed by my hon. Friend, but of which no one else is cognizant; or is it the old vulgar plan of putting his hand into the pocket of one man to place the contents in that of another? That is my humble translation of my hon. Friend's speech, and it is very considerably supported by the figures and papers he has laid on the table. We have heard his speech to-night; how great a benefactor he is to Schedule A. Well, the amount of tax paid in 1860-1 under Schedule A was £2,048,000, and the amount of the tax which would have been paid under Schedule A, if the scheme of my hon. Friend had been in operation, is £2,308,000, showing an augmentation of £260,000, or about 12½ per cent. That is the plan; but do not be mystified about the amount of expenses and repairs and charges of maintenance. That is the net result presented by my hon. Friend. Schedule A actually paid, under the present cruel and grinding tax, £2,048,000; and if his plan had been in operation, it would have paid £2,308,000—an increase of £260,000—for the relief and benefit of other parties. My hon. Friend worked himself up by his dissertation on the three years' average clause till he appeared to arrive at the conclusion that the present law was by far too much in favour of those who pay the tax under Schedule D. Let us see how he ought thus modestly to disclaim the character of benefactor to Schedule D. I revert to his own simple figures. Schedule D in 1861, when the tax was 10*d.*, paid £3,613,000; and if his plan had been in operation, Schedule D would have paid £3,049,000, or less by £564,000 than it actually paid. I therefore think I have established in favour of my hon. Friend, first of all, that he has somewhat overstated his claims to the gratitude of the taxpayers in Schedule A, and that he has greatly understated the grounds on which he is fairly entitled to be considered a benefactor to those paying under Schedule D.

Let us now come to the principle on which he founds his proposition; but first of all let me say, that what I have stated does not, in the least degree, exhibit the full amount of anomalies and cases of injustice my hon. Friend proposes to inflict on the country. Under Schedule, A he says will make an allowance of one-twelfth or 8⅓ per cent; let us see the meaning of that. Some owners of land have properties in which the repairs of agricultural holdings are very heavy and go far beyond one-eighth, but many other holders have properties on which they do not pay a shilling for repairs. The way the hon. Gentleman would remove anomalies is, that whether a man pays 20 per cent for repairs or nothing, a deduction of 8⅓ per cent shall be made all round to him who pays nothing as well as to him who pays much. If he could grant that deduction to one without taking it from another, there would be something to say for such a mode of dealing, but that is not and cannot be the case. If you make a deduction all round, the meaning is, that to benefit one man you must tax somebody else. The general upshot of my hon. Friend's plan is, that he adds rather more than one-eighth to the payments of those who pay the tax upon land or houses. Every man upon the average who now pays £8 would then pay £9; but the difference would be, that while as a class those who now pay £8 would then pay £9, many of that class would still only pay £8, because the increase of the tax upon them would be counterbalanced by an arbitrary deduction, while others of the same class, instead of paying £9, would have to pay £10; and this immense inequality my hon. Friend seeks to introduce by a machinery as arbitrary in character as it is unsatisfactory and anomalous in results. But he says, he rests upon one main proposition as the basis of his plan—that is, he aims to relieve what he calls industrial incomes. I will come to the justice of that principle by-and-by; but upon what considerations does he found it? His argument is, "I will relieve industrial incomes, because under the law, as it now stands, the very same property which is taxed in one year as profits of trade is taxed in another year as capital, with reference to the fruits it produces." But, Sir, is that a reason why the income tax should be reconstructed? Because in 1863 you tax as profits in trade what in 1864, so far as unexpended, appears as capital, yielding fruits subject to taxation —I say, that is the principle of our law as to property in general. The law of this country makes property pass through preliminary taxation at the point when it comes into the possession of the holder, and then subjects it the year after, and every year after, to taxation in respect of its fruits. If a man makes £50,000 in trade in 1863, my hon. Friend says that ought not to be taxed in respect of its fruits as capital in 1864. But supposing a man inherits a property worth £50,000 in the Funds in 1863, he pays Probate Duty, Legacy Duty, or Succession Duty. It is taxed as capital in 1863, it remains in his possession, yielding income, in 1864, which is taxed again. The main reason which my hon. Friend urges for breaking up the income tax and substituting a scheme of his own is because we apply to savings made in trade the same rule which we apply—whenever the law can apply it —to any other property when it comes into possession of the holders. I think, therefore, that my hon. Friend has no ground for substituting his plan for the existing system, and the principle of his plan, I must say, appears to me to be fraught with danger.

The hon. Member for Huddersfield seems to think that the existence of a surplus would solve the question; and that the exception I took to my hon. Friend's proposition is simply that we had not a surplus, and therefore had not the money wherewith to do justice. I did mention the non-existence of a surplus as a difficulty for my hon. Friend to deal with, but not as any part of the difficulty I felt in acceding to his proposition. If there be a surplus—and it does not become me to say now whether there be or not—but if there be a surplus of taxation, we ought to deal with this question upon precisely the same footing as if there were no surplus—that is, we should do justice between the several classes of taxpayers of the country. Now, as to the practicability of the proposed scheme, my hon. Friend has, I think, done an involuntary injustice to the late Chairman of the Board of Inland Revenue. He said that Mr. Pressley, although he made difficulties at first, and although he was a most violent Conservative in all matters relating to revenue, yet such was the force and truth of my hon. Friend's plan, that at the close of the inquiry he withdrew all his objections, and had no more to make. My hon. Friend mistakes the character of Mr. Pressley, perhaps, because he has not been privileged, as many of us have, to enjoy the intimate friendship of that gentleman. What is the value of the term "conservative" as applied to politics, is not a question for discussion at present; but as applied to the administration of the revenue laws, never was error more ludicrous than to describe Mr. Pressley as eminently entitled to the epithet, on the ground of his being wedded to existing schemes and existing laws. For six years I have had the closest and most intimate intercourse with Mr. Pressley upon all matters relating to the revenue, and never in my life did I see a man more wholly free from all vestige of prejudice, more eager for improvements, or more desirous to carry them out. He never withdrew his objections to my hon. Friend's plan, because he never made any. Does my hon. Friend think that Mr. Pressley was so young in his duties as to commit himself in a reply to some ingenious question of my hon. Friend put with the hope of obtaining the sanction of Mr. Pressley's authority to his views, or that he was a man to put himself in the place of the Members of this House, and dictate to them the principles upon which the tax should be levied? All he said was "if the House chooses to enact a plan, we can carry it out," and there is no doubt of that; but I venture to say that the plan of my hon. Friend will not soon be submitted to any Chairman of the Board of Inland Revenue to carry into effect.

But what is the principle of my hon. Friend? He claims privilege for what he chooses to call industrial incomes. There is some degree of fallacy in that expression. Industry in this country is at present exempt from the income tax. I do not know that that exemption can be said to rest upon any very broad or clear principle, but, for my own part, I think it may be justified by two considerations:—First, that I believe it to be visionary to dream of levying income tax from the bulk of the labouring classes; and next, because, as far as I am able to judge, under the system of taxation now existing the labouring man, although exempt from income tax, pays at least a very fair, perhaps a rather full, share of taxation; but, as far as the income tax is concerned, industry, properly so called, except a limited portion of the more highly skilled mechanics, is exempt. My hon. Friend means the profits of educated men in the professions, or some of them, and he likewise means the exercise of industry and intelligence in combination with capital. I want to know upon what principle my hon. Friend gets to this particular distinction, as different amounts of taxation are to be taken from different people not according to the revenues they possess, which is an intelligible principle, not according to their poverty, which is an intelligible principle, not according to their wealth or poverty, but according to the degree in which industry and capital are mixed up together in making up the income. My hon. Friend propounds this as the foundation of his system. He confidently puts it forward as a self-evident proposition; but, in my opinion, a more dangerous principle it is not possible to conceive. Those whom he desires to relieve are the class whose fortunes are on the most rapid state of progress and increase. Those who are needy in proportion to the station they occupy my hon. Friend leaves untouched, or rather, he subjects them to additional burdens in order to give a great relief from taxation to a class whose fortunes are in the most rapid state of augmentation. But how does he think, when he has established his claim on behalf of what he calls industrial incomes, he will be able to shut out those who are disposd to recommend other principles? He will, no doubt, be shocked when I say that in my opinion more is to be said in favour of graduated taxation than for his plan. A graduated taxation recognises poverty in one class and overgrown wealth in another, and justice demands that one should pay less and the other more. There is something rather plausible in that principle, more so than in my hon. Friend's plan. My hon. Friend is very sensitive when the microscope is applied to the examination of his scheme, but that is really the only way in which to divest it of the plausibilities in which it is wrapped. He takes a widow, with £200 a year from the Funds, with six children to educate, to train, and to start in the world, and he takes the case of a great merchant—I will not say brewer or banker, as there seems to be some objection to specifying those flourishing classes—but to a great merchant, with £20,000 a year, he grants a relief to the extent of one-third, and in order to do that he adds 25 per cent to the burden of the poor widow. I protest against the principle of my hon. Friend. It is one, in my opinion, which, when carefully examined, is much less plausible, and at least as dangerous as the principle of graduating taxation. The hon. Member for Huddersfield says I appealed last year to the hon. Gentlemen opposite. He is much more fresh in his recollection of that speech than I am, having done me the honour to refer to it; but I am not aware that I appealed to the hon. Gentlemen opposite in particular. I appealed to the whole House, and I trust the whole House will have the justice and the manliness now to repeat the Vote which they gave on that occasion. Some justice and some manliness I think it requires, because I do not deny the faults and flaws of the present income tax. I do not deny that a feeling has existed, does exist, and I believe will always exist among considerable portions of the community, in the direction of the Motion which my hon. Friend has made. Neither do I deny that such a feeling is entirely natural. But I do say, that when the real merits of the case are examined, when investigation is made of broad practical issues, such as I have only endeavoured in one or two cases to exemplify, but which were more fully and sharply brought out before my hon. Friend's Committee, the danger involved in my hon. Friend's principle will be apparent. The danger, moreover, will be obvious of agitating subjects like this, and of substituting vague expectations in the minds of the community—expectations which only end in taking money from one man to give it to another—for those rational hopes of reduction which never can be realized by my hon. Friend's plan, but the realization of which must entirely depend on the adoption of judicious economy, and the consequent application of sound principles to the relief of the public.

Mr. HUBBARD asked the House to consider the position in which the subject was now left. He had met with a distinct denial and disproof every count in the indictment which had been urged against his plan of adjustment. His right hon. Friend in his speech had not even attempted to rebut his argument or invalidate his facts; but abandoning the logical contest, he had endeavoured to discredit his (Mr. Hubbard's) scheme by showing that all former schemes had failed. The only other scheme he had heard of was the one called Mr. Hume's—which he agreed with most practical men, with the officials, and with his right hon. Friend, in thinking impracticable; but surely one failure is no proof that amendment is unattainable. His right hon. Friend repelled the proposed adjustment by pleading that neither Pitt nor Peel had attempted one; but is no improvement in fiscal legislation to take place which Pitt or Peel neglected or ignored? Pitt was a great man, but is the policy of the author of the Sinking Fund to be a rule for us? Peel was a great man; but had he died a few years earlier, the Chancellor might have been quoting his authority now in support of a Protective system. The inequalities of the present tax are not denied, but we are told by the Chancellor of the Exchequer that the back must adjust itself to the burden—we must not hope to shake off our chains, but we are to find comfort in the expectation that our limbs will become callous to the pressure of the galling chain. I find, Sir, nothing more to reply to, and I must leave my Resolution to the decision of the House.

Question put,

"That, in the opinion of this House, the incidence of an Income Tax touching the products of invested property should fall upon net Income, and that the net amounts of industrial earnings should, previous to assessment, be subject to such an abatement as may equitably adjust the burthen thrown upon intelligence and skill as compared with property."

The House *divided:*—Ayes 70; Noes 118; Majority 48.

APPROPRIATION OF SUPPLIES.

RESOLUTIONS.

Lord ROBERT MONTAGU, in moving Resolutions with reference to the Appropriation of Supplies, said, that in 1861 he had moved the same as that which was now contained in his first Resolution. In 1862, when moving the appointment of a Committee of Accounts, he had strongly urged the abolition of the system of transfers which took place under the transfer clause in the Appropriation Act. Both these Motions had been unsuccessful. But now, as the blue-book of the Public Accounts Committee had fully borne out all that he had said upon those occasions, he trusted that the House would not deem it presumptuous in him to press the same Resolutions again upon them. The Appropriation Act was the result of the grand struggle which had ended with the Revolution of 1688. It ought, therefore, to have been maintained unaltered until the present day; no changes at least should have been made in it recklessly and without due consideration, or through carelessness and neglect. Notwithstanding this, many changes had been made in the Bill, including the insertion of the clause which empowered transfers, and the alteration which had been made in the year 1858. With regard to the latter, the Committee of Public Accounts reported as follows:—

> "The subsequent alteration was made (in 1858) without the attention of the House being called to the point. The Bill was not printed, and, as your Committee are informed, the change was made through inadvertence. By the alteration the intended limitation was entirely removed." [*Second Report, Public Accounts*, 1862, page v.]

This was explained by Mr. Anderson in his evidence. Until the year 1858 the army grants used to appear in two aggregate sums, between the Votes of which no transfers could take place. In that year they were massed together. It was said that this was done by mistake; but the mistake had not been rectified, and therefore the sphere of transfers had remained extended. The Report of the Committee continued thus—

> "Your Committee recommend that the Appropriation Bill, and the Appropriation Clause, should be printed and distributed in time for consideration, before the Bill passes through Committee of the House."

Until the year 1854 the insertion of the appropriation clause had been made the subject of an Instruction to the Committee on the Bill, and was therefore necessarily inserted in the Appropriation Bill. In that year, however, this practice was discontinued. The result was, that in the second Session of 1857 the appropriation clause was omitted and the transfer clause was retained. In the first Session of the year 1859, the appropriation clause appeared as the 18th clause, and the transfer clause was omitted. In the second Session of the same year the appropriation clause was omitted, while the transfer clause appeared, as the 23rd clause. Last year the Bill was printed, but was not distributed, while certain alterations were made without the sanction or cognizance of the House. One of those alterations provided that deficiencies should only be "temporarily defrayed" out of surpluses; and another enforced that the representations made to the Treasury for leave to transfer should be "laid before the House within one month after the accounts had been sent to the Audit Board." He trusted that his first Resolution would meet with the approval of the House, seeing that it was in the same terms as the Report of the Committee of Public Accounts. He was not urging a technical matter of detail, but sought to enforce the constitutional principle, that the appropriation of supplies was peculiarly the function of the House; and which, considering that the struggle to establish this principle had lasted half a century, should ever be looked upon as a sacred duty by the Representatives of the People. His second Resolution referred to the power of transferring the surplus of one Vote to provide for a deficiency under another; or, in other words, appropriating balances to meet excesses. The clause which authorized this operation had been first introduced in the Act of 1846. This clause he would speak of as the 29th clause, because this power was contained in the 29th clause of the Act which was laid before the Committee of Public Accounts, and was spoken of, by the witnesses, under that name. With reference to that clause he affirmed these three propositions—that the object with which it had been introduced had never been attained; that it tended to increase the public expenditure, and was otherwise most injurious; and that no inconvenience could result from its omission.

The object of this clause was the same as that which Sir James Graham sought in 1832, in order to secure a strict appropriation—namely, to secure to the Treasury a control over the Departments, so as to prevent them appropriating money contrary to the wishes of Parliament. Mr. Anderson had stated in his evidence, that the origin of Clause 29 was the Report of Sir W. Herries' Committee; the intention of which was that—

> "Treasury Control might be brought in aid of Parliamentary Control, so as to prevent an excess on any Vote."

This, moreover, had been recommended by that Committee only on the supposition of there being no Committee of Public Accounts to inquire into any excesses upon the Votes. This object had not been obtained. To this every one of the witnesses had borne testimony. Sir Richard Bromley said (153), "My own opinion is, that it (the check of the Treasury) is a mere matter of form, and that it would be better dispensed with." Mr. Arbuthnot (1104-9) stated that "the authority given to the Treasury has degenerated into a mere matter of form." "The Treasury check has not so worked as to be successful in its object." The Duke of Somerset allowed (1327) that "the control of the Treasury to deny the transfer is and must be merely nominal." In fact, Colonel Greene (230) did not know any case in which the Treasury have refused to give their assent. The Duke of Somerset continued (1447)—

> "The Treasury have, for a great many years, been trying (under Clause 29) to control the expenditure, and keep the Naval Estimates in their right position, but have totally and entirely failed."

Mr. Arbuthnot stated, that the Admiralty "utterly declined to acknowledge the authority of the Treasury," and tried systematically to set the Treasury at defiance. He might mention two examples. The first was the transfer of £250,000, which had been voted for the building of iron ships, to the purchase of stores. The Treasury were never asked for their sanction to this transfer, and never knew of it for upwards of a year afterwards; and at last it was made a matter of mere verbal communication between the present Secretary to the Admiralty and Mr. Laing, who was then Secretary to the Treasury. In the same year the store Vote was exceeded by £424,651; which was also met by a transfer; and here again the sanction of the Treasury was not once asked. Application for leave to transfer was, in fact, never made until five days before the accounts were sent in to the Audit Board, when there remained no longer sufficient time to make any inquiries. Such instances showed that the clause had entirely failed in the object for which it had been framed. He now passed to the second proposition, and would show that this 29th clause, or rather the power of transfer which it gave, had operated most injuriously for the public service. He would show this in six different ways. The clause had a very injurious effect, because, in the first place, the expenditure had thereby been greatly increased. Sir Richard Bromley had, in fact, affixed a stigma to the clause by calling it a mere "cover to expenditure." The power of transfer had been created in 1846, and the Duke of Somerset stated that "the next year (1847) the expenditure exceeded the Estimates by £454,000, thus showing that the balance had been overthrown." Mr. Anderson had referred to the same cause, the well-known fact that the expenditure in 1862 was three times as great as that of 1832. As an example, he might mention that the gunboat slips at Haslar were constructed and the expenses met by a transfer, and "Parliament was thereby committed to a vast expense without any previous sanction." So also the £12,000 given to the German settlers at the Cape was met by a transfer, having been given without the sanction of Parliament. This had been stated by the Secretary at War on March 9.

Secondly, the abolition of the power of transfer, or the expunging of Clause 29, would reduce expenditure. This might be deduced as a corollary from the preceding statement; but he preferred to bring forward independent testimony to substantiate it. Mr. Anderson, who was principal clerk at the Treasury, said (1716) that—

> "Whenever you require those great departments to go to Parliament to vote all their deficiencies, you will very much reduce the amount of those deficiencies.

The Duke of Somerset allowed (1400) that "having to come before Parliament for a Supplementary Estimate," would tend to "check the expenditure." But Mr. Gladstone asserted (1636) that "at present there is a power of final adjustment without coming to Parliament at all." And he continued to state that there were many transactions which the Departments would not enter into at all, if they knew that the case must come before Parliament. The reason why the expunging of the 29th clause would reduce the expenditure was very plain; and this introduced the third head—namely, that the power of transfer prevented the Departments coming to Parliament for money; which was another very injurious effect of that clause. The Secretary for War said, that "if the clause were repealed, the Departments would have to go to Parliament for every excess," and added, that "the real check undoubtedly was the vote by Parliament." Colonel Greene stated, that the different Departments always took care to "have a surplus in order to prevent having to go to Parliament." Fourthly, the 29th clause was very injurious, because the system of making transfers tended to produce a laxity in the Estimates; and this laxity in the Estimates produced surpluses and then transfers. These evils thus acted and re-acted on each other in ever increasing ratio; and caused an ever-widening circle of vicious expenditure. This had been plainly stated in the evidence of Mr. Arbuthnot; and Mr. Anderson, had said that the Departments were tempted to make surpluses, and were then induced, by the possession of a surplus, to incur expenditure which they would never incur otherwise; but if no power of transfer existed, and the Departments had to go to Parliament for deficiencies, they would "estimate every service at its proper amount." Fifthly, the power of transfer not only enabled the Departments to avoid coming before Parliament, but also operated most injuriously in entirely defeating the knowlege of Parliament. The Duke of Somerset (1464) said, that "under the existing system, Parliament may vote a vast sum of money for the conveyance of troops, and may find that a large portion of it is spent in stores." Colonel Greene (358) mentioned an instance in which money voted for barracks at Plymouth was spent on works at Hong Kong, which Parliament had never sanctioned, nor even heard of; "so that" to use his own words, "the knowledge of Parliament was thus defeated." And Mr. Arbuthnot (842) said, that payment for salaries might go on without even the Treasury knowing of it. This they did by applying it out of the Vote for Works. Thus, "the Surveyor of Coast Guard Buildings" was an office which was never known of until discovered by accident; for his salary had never appeared in the accounts, but was paid by a transfer from some of the Votes. The Duke of Somerset (1279-1286) confessed that, while Parliament was sitting, the money voted for iron ships was spent in buying timber. He allowed that he "did this on his own responsibility," he "thought it the right thing to do." This line of conduct he had determined on while Parliament was sitting, and yet he had never mentioned it to Parliament. It must be remembered that he had already "taken a Vote, of £722,000 for timber, which was all he could get" from Parliament. To wind up this statement, he confessed that he had determined not to let Parliament know anything about it, as long as "Parliament could take any action." There was also another head under which the 29th clause had operated most injuriously. The Government were induced, owing to it, to ask for a larger sum than they required for certain Votes which were known to be popular with the House; while they took less than was necessary for others which were unpopular; so that the House was by that means actually deceived in two ways:—First, they were persuaded that some much-desired object would receive the advantage which they so profusely granted; and, secondly, they were induced to believe that no more would be spent on some undesirable object than they chose to give. It was well the House should know that it was the practice of Governments to obtain money under false pretences (for he could designate the practice by no milder term). Mr. Arbuthnot, for instance, in his evidence (670, &c.) had said—

> "There was a popular Vote obtained for a Naval Reserve, amounting to £100,000; and I apprehend that Parliament would not have placed that £100,000 at the disposal of the Admiralty for any other object. . . . Not above £12,000 was spent for that purpose; . . . . and the rest of that Vote was applied to purchasing stores. I do not think it was an honest expenditure."

Again (830)—

> "There is one thing to be always guarded against, and that is, taking what I may call popular Votes, and then applying them to services which have not been voted."

And Sir George Lewis (2293) said—

> "Occasionally, as one Vote is a little more popular than another, and the House is more likely to agree to some particular Vote than to another, they might make the Estimate a little fuller upon that head, and they might starve it a little upon the unpopular Vote, in the speculation that they would save upon the popular Vote, and turn it over to the unpopular Vote."

While Mr. Gladstone (1577) gave this remarkable evidence—

> "The Admiralty, as all those Departments, have a great temptation . . . . to allow those surpluses to grow upon certain Votes, in order to form a fund for meeting the deficiencies upon other Votes. . . . . It leads them . . . . to provide surpluses in the main upon the more popular Votes, and to trust to them for supplying the deficiencies upon the more unpopular Votes."

Indeed, it was quite obvious that the practice of thus taking more than was required under one head, while another Vote was starved, was in itself very reprehensible; yet the evidence of all the leading witnesses who appeared before the Committee went to establish the truth of what he stated. To prove this important matter, still more clearly, he would show it by examples taken from the Estimates and accounts; he would give instances of Governments taking too much on Votes which were popular with the House, and starving those that were unpopular.

Vote 1, for Wages of Seamen, was a popular Vote. On such a Vote, surpluses were made by asking more than was required. Now, it appeared from the evidence, that since 1848, with one exception, there had always been large surpluses on this Vote; equal to £2,000,000 in thirty years, of which £1,700,000 had occurred in the last ten years alone, while in the year 1860-1 the surplus had amounted to £441,411. Vote 3, for the Admiralty Office, was an unpopular Vote. Such a Vote was starved, to delude the House of Commons; that is to say, less was provided than the Government intended to spend. It appeared in the evidence, that since 1832, with one exception, the Admiralty had always exceeded their Vote; they had exceeded it at an average of £5,000 per annum. And Mr. Arbuthnot stated, that "there is no reason why the Admiralty should not estimate correctly, except the desire to starve an unpopular Vote." And the Duke of Somerset (1229) allowed this to be the true state of the case. Vote 4, for the Naval Reserve, was a popular Vote; that was, more was asked than would be wanted. The surplus on this Vote in 1859-60 was £96,000, and in 1860-1 it was £92,652. Vote 10, for Naval Stores, was an unpopular Vote, and less was asked for it than would be spent. It was proved, that during the last ten years, this Vote had been exceeded by £2,500,000; of which the excesses during the last two years alone had amounted to £1,000,000. Of this, none was attributable to the China war. For the last five years there had been an excess of £100,000 per annum for timber alone; and the excess during the last three years had been at the rate of £500,000 per annum for timber alone, although they were now building only iron ships. Now, Mr. Anderson said, that as all contracts were made at home, this expenditure could easily be correctly estimated. Hence this was a wilful starving of an unpopular Vote, designedly to be met out of other Votes. Vote 11, for Works, was of a mixed character, in part popular, and partly unpopular. With regard to this Vote, it was shown that £77,000 had been, in 1860-1, spent differently from the intentions of Parliament, and £10,000 more had been spent which had never been estimated for. Again, £15,000 had been granted for dredging Portsmouth; but £25,000 had been spent; and £12,000 had been spent for new docks, which had never been granted at all. Similarly, £10,500 had been spent for works at Hong-Kong, which had not been voted by Parliament, nor authorized by the Admiralty, nor sanctioned by the Treasury, nor estimated by any Department, nor even explained by the accounts. On the whole, it appeared in the evidence that, from 1856 to 1861, £5,000,000 had been spent on objects other than sanctioned by Parliament; so that Colonel Greene, the Director of Works, exclaimed, "The whole of the Estimates (for Works) are a series of those sorts of cases of excesses and surpluses." He had, he thought, said enough to justify him in maintaining that the 29th clause was injurious, and that its operation had justified the use of the epithet which he had the other evening applied to it, when he observed that it had "infistulated" our whole financial system. He wished he could make this stigma hang round the neck of the 29th clause, as long as it appeared in the Appropriation Acts. Before passing to the next proposition he would therefore mention some more important evidence on this point. In the second Report, page vi., the Committee stated, that "the witnesses, with scarcely an exception, disapprove of the power as at present existing." The Duke of Somerset (1448) said, that "the Treasury check has totally failed;" and (1489) "everything that has happened since 1846 shows that the course taken has not resulted in what was intended." Mr. Macaulay (2150-3-4) "entirely agreed that the 29th clause should be repealed;" and said (2224, &c.) "the repeal of the 29th clause would effect every object." While Mr. Gladstone (1580), in quoting Mr. Anderson, said—

> "Let the 29th clause of the Appropriation Act, first introduced into the Act in 1846, and which unsettles the appropriation of all the grants of the year for the naval and military services, be expunged from the Appropriation Act, which will then be restored to its former state."

He should next pass to the third proposition which he sought to establish; which was, that no possible inconvenience would arise if Clause 29 were expunged. If some alternative (such as the plan of another Treasury Chest Fund) were thought necessary, let it be proposed by an additional Resolution. He did not himself think it necessary in a financial point of view; although in another point of view it might be most beneficial. For the different Departments were at daggers drawn with the Treasury, and tried to slip from under Treasury control. This scheme had therefore been devised in order to tie them down, and force them under the restraint of the Treasury. This, the House would remember, had been the object sought in framing the 29th clause, but which that clause had failed to attain.

To apply to the Treasury for an allowance out of a particular fund, in order to meet deficiencies, was far preferable to the mode of transfer under clause 29. For, when the accounts were made square by means of transfers, there was nothing to attract the notice of Parliament; there was no definite issue placed before the House. While, to apply for the use of a fund, and to give the reasons in writing for that application, and then to come to Parliament for a credit in order to repay that fund, brought a distinct question for discussion before the House. It was, nevertheless unnecessary to resort to this alternative; for, as matters stood, the accounts of the navy were got in eight months after the close of the financial year; then it was discovered that there were deficiencies on some of the Votes, caused partly by imprests at home, and partly by repayments to the Treasury chests abroad. It then became necessary to square the accounts for Parliament. According to the present system that was done by means of transfers. Now, a transfer did not mean a carrying about of money-bags; it was a mere matter of account, a credit transposed; it made no noise; it was done by a clerk taking the pen from behind his ear and writing a few figures. But, if the 29th clause were expunged, if the power of transfer were abolished, then all the balances (or surpluses) would have to be surrendered, and new credits would have to be voted, to meet the deficiencies and square the accounts. To surrender a balance, it must be remembered, meant merely to surrender a credit, to give up an authority to draw. How, then, it might be asked, could the current expenditure be carried on? The accounts at the pay office were mere current accounts, or cash accounts. Now before the navy accounts were squared they would have procured a new credit at the Bank. The expenditure could therefore be met out of these new credits; all payments could be made out of the navy cash. The only difference would be, that the accounts could not be squared without coming to Parliament for "Votes in excess;" that was, for new credits to clear off those deficiencies. To remove any doubt upon this point, he would refer to the evidence: — Colonel Greene (414) was asked "if he sees any objection in taking away that power of transferring surpluses?" and answered, "No, certainly not." Mr. Vine, the Inspector of the Audit Office, said (473), "I am not aware of any inconvenience to the public service that would arise from it." Mr. Arbuthnot (1117-1120) said, "The transfer is merely effected in the Admiralty books, and is a simple matter of account." The Duke of Somerset argued (1320) that the public payments would not be stopped even if every Vote were exceeded; so that, consequently, if the power of transfer were taken away, there would also be no inconvenience resulting. Mr. Whiffin, Deputy Accountant General, said (1979), "they can meet the expenditure out of the current army cash;" while Mr. Macaulay (2151) said, that "paying the surpluses into the Exchequer will not in the least degree embarrass the different Departments for money." He would compare the services in order to make this evident—namely, the army, the navy, and the civil services. In the case of the Civil Service, each Vote had its own special account in the books of the paymaster; each Vote had its own credit, and its balance was struck every week. When an issue was applied for, it was always specified for which Votes the issue was demanded. The consequence was, that a Civil Service Vote could never be exceeded, the balances at the end of the year were surrendered, and there were no transfers. In the case of the army or navy, money was issued on the aggregate credit; the paymaster knew not for what particular Votes it was issued, nor how the money was appropriated. Yet many of the Votes were for charges at home, and the payments were final payments, as in the Civil Service. The paymaster, in short, was, in the case of the Civil Service, a banker for each separate Vote; while in the case of the army and navy, he was a banker for the whole service; he must honour their draughts as long as they had a credit at his bank (so to speak) sufficient to meet their demands His accounts were a mere banker's account—a current account—not an appropriation account. But when the navy made up their appropriation accounts, then deficiencies were discovered on some Votes, and surpluses on others. It then became a question how the accounts were to be squared. If it were by transfers, then no definite issue was brought before Parliament; but if the transfer clause were done away with, then the Departments could not square their accounts without coming to Parliament for credits to the amount by which they had exceeded, in their expenditure under particular heads; and there was voluminous evidence to show that no inconvenience could result from such a mode of proceeding. He thanked the House for their indulgence in hearing him on so dry a subject, and hoped that they would bear in mind the propositions which he had proved. 1. That the 29th clause had failed in attaining the proposed object. 2. That it was most injurious to the public service, by increasing the expenditure; by preventing the Departments coming before Parliament; by promoting laxity in estimating; by defeating the knowledge of Parliament; and by causing the Government to take too much on the popular Votes, and starve the unpopular. 3. That, in the nature of things, no inconvenience could result from expunging the obnoxious clause altogether. The noble Lord concluded by moving—

"1. That every Bill hereafter introduced for the appropriation of supplies be printed and distributed in time for consideration before it passes through Committee of the House.

"2. That it is inexpedient that any Bill for the appropriation of supplies shall contain the power of transfer which was first introduced into the Appropriation Act of 1846, and which unsettles the appropriation of all the grants of the year for the naval and military services."

Motion made, and Question proposed,

"That every Bill hereafter introduced for the appropriation of Supplies be printed and distributed in time for consideration before it passes through Committee of the House."

THE CHANCELLOR OF THE EXCHEQUER said, he could not concur in several important points with the opinions expressed by the noble Lord. He thought the noble Lord had very much exaggerated the effect produced in the augmentation of expenditure by arrangements—certainly in themselves defective—with regard to the fiscal laws of transfer. No doubt the tendency of lax and defective arrangements was to increased expenditure; but he could not agree, as the noble Lord seemed to assume, that the aggregate amount of expenditure had been very largely increased. He differed, too, from the noble Lord on another point, which though not expressly asserted by him, was assumed and taken for granted all through his speech. He gathered from the noble Lord's speech that he was of opinion that in all cases where the Vote on a particular item was exceeded by the expenditure, whether that deficiency was capable or not of being supplied from the aggregate fund voted for the service of the year, it ought to be made the subject of a supplementary Estimate. [Lord ROBERT MONTAGU: Of a Vote of excess.] That, of course, was a very different matter; but still it was a popular and plausible delusion, that if, on any emergency arising, there was an excess of expenditure on the sum actually voted for a particular service, it ought at once to be brought before Parliament in the shape of a supplementary Estimate. From his experience in the office he had the honour to hold, he was persuaded that there was no practice which would be more destructive of Parliamentary control over the expenditure. It had been a matter of regret to him that on several occasions, from very grave and sufficient reasons, supplementary Estimates had been presented during his term of office, but he was firmly convinced that the whole effectiveness of Parliamentary control depended upon the state of the finances—the balance of income and expenditure—being once a year gathered together and submitted as a whole to Parliament—and in a plan being submitted to Parliament which should substantially, and in the main, govern the whole expenditure and income of the year. But, if from any idea of the supreme control of Parliament, the Government were to be called on every week or every fortnight to bring down supplementary Estimates, the control of Parliament over the expenditure of the year would be entirely nullified under the semblance of consulting its dignity. It was impossible for Parliament to give its whole attention to these points, and he held it to be a canon of all sound finance that supplementary Estimates should be few and as limited in extent as possible. Coming next to matters of fact, he was afraid that the noble Lord had not taken into view what had been recommended by the Committee on Public Accounts, and what had actually been done by the Government. To adopt the noble Lord's second Resolution, which was the most important, would be like taking precautions against dangers which had ceased to exist. When the question was examined before the Committee of the previous year, all that the noble Lord had stated to the House was taken fully into consideration. It was felt that the system was defective. The Act of 1846 sanctioned practices which had previously prevailed without any sanction at all; and though the provisions of that Act might be defective, the noble Lord would find that, substantially, the whole of what he had proposed had been adopted under that Act. The power of transfer, in fact, which he described and denounced, no longer existed. A plan had been submitted in the previous year by which certain separate funds would have been established, out of which these excesses might have been temporarily supplied. That plan was not adopted by the Committee, but in lieu of it another plan was adopted. New securities were taken to insure the submission of these excesses to the Treasury, so that the Treasury had greater certainty than it ever possessed before that these excesses would be submitted to it. The matter being thus brought under the notice of the Treasury, it was likewise provided, that although the Treasury, out of unappropriated surpluses, was authorized to advance sums to meet the deficiencies on particular Votes, yet that such appropriations should be of a purely provisional character, that they should only hold good until the final closing of the account, and that after that closing of the account the expenditure in excess should be definitively met by a Vote in excess. That Vote would not correspond precisely in its technical character with Votes in excess as we now understood them. They referred to excesses properly so called, which entered into the Exchequer account of the year in which they were passed, and materially disturbed the relative balance of expenditure and income. The essence of the noble Lord's Motion, as he understood it, was to bring each transaction on its merits to the judgment of Parliament; so that by the arrangements of the different Departments they might not be prevented coming under the attention of House. That was precisely the object of the clause which had been incorporated into the Appropriation Act. The 26th clause of that Act provided, that where there was an excess of expenditure, on application being made to the Treasury, the Treasury might thereupon be authorized, temporarily, to defray the excess out of any surplus which might have accrued; and it was then provided, that within a given time after the assembling of Parliament, the proceedings should be laid before it for its sanction, and provision be made to meet the several excesses on the several Votes in such manner as Parliament might determine. The criticism, therefore, of the noble Lord was directed to a state of things which no longer existed, and he was endeavouring to provide a remedy for that which had already been cured by Parliamentary proceedings. Unfortunately, it was impossible, in the varied expenses of a great country like this, for every Department to know exactly the precise amount of its expenditure, and it was necessary that some slight margin should be left. It would be most undesirable to say to each Department, "You must take into account, in framing each particular Vote the extremest amount which you can possibly require, and call on the Chancellor of the Exchequer to provide for it out of the income of the year on a scale which will cover all emergencies." With regard to the noble Lord's first Resolution, of course it was very proper that the Appropriation Bill should be accessible to Members, but he scarcely thought it desirable to go to the expense of from £50 to £100 for printing 658 Bills, of which, perhaps, not a dozen would be used. The principle of the noble Lord's first Resolution was sound; and if he would take it in the following terms, he should have no objection to its being adopted:—

> "That a sufficient number of Copies of every Bill hereafter introduced for the appropriation of Supplies be printed and delivered to Members applying for them in time for consideration before it passes through Committee of the Whole House."

With regard to the second Resolution, he had endeavoured to point out that the object at which it aimed had already been obtained.

SIR FRANCIS BARING said, he was Chairman of the Committee on Public Accounts which sat during the last year, and the House ought to be made acquainted with what had taken place. No doubt changes in the Appropriation Acts had been made without the knowledge of the House, and it was proper that hon. Members who paid attention to these subjects should have the opportunity of seeing the Bill in print before it was passed. There had been great looseness in the matter, and it was necessary to put a stop to that looseness. The Committee over which he presided considered several plans, and at length came to a decision to make recommendations, which the Government had adopted, and which he believed carried into effect all that could be reasonably wished. In future the sanction of the House was to be obtained for the appropriation of any excess in any one Vote to another Vote, in whatever Department the excess arose. He could not see the use of passing a Resolution to do that which had been done already, and he warned the House against interfering with the transfer clause. Under the old practice the Admiralty of itself transferred the excess of one Vote to another Vote, but a change was made by which the sanction of the Treasury was required. If they repealed the transfer clause, the Admiralty would get rid of the check of the Treasury. What the noble Lord wished was to increase the check, and the Committee recommended them to strengthen it by adding the necessity for the sanction of the House. Under these circumstances, he hoped the House would not come to a Resolution which would entirely upset the plan of the Committee, and would abolish a valuable means of keeping the different Departments in order.

Mr. SPEAKER asked whether the noble Lord accepted the Amendment of the Chancellor of the Exchequer?

Lord ROBERT MONTAGU said, that he did.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That a sufficient number of Copies of every Bill hereafter introduced for the appropriation of Supplies be printed and delivered to Members applying for them in time for consideration before it passes through Committee of the Whole House."

Mr. HADFIELD said, he was friendly to the publication of all the Acts of the House, and therefore he should support the principle of the first Resolution. But it did not go far enough. He wished the Indemnity Bill as well as the Appropriation Bill to be printed. The Indemnity Bill ought not only to be printed in the folio edition of the statutes, but that as the greatest part of the expense of setting the types must be incurred, copies should be supplied to any Members who required them. It was a reflection on the House to be passing a Bill every year indemnifying persons from penalties for not taking an oath against the Pretender.

Mr. SPEAKER said, he must call the hon. Member to order, as he was not addressing himself to the question before the House.

Mr. HADFIELD said, he would move as an Amendment that the Indemnity Bill be included in the first Resolution, and then he should be in order in referring to that Bill. He protested against the House being made ridiculous by passing Bills which excused even those who passed them—including the Law Officers of the Crown—from the penalties incurred by a neglect to make unnecessary and ridiculous declarations, the ground of such excuse being that they did not know the law.

Amendment proposed, after the word "Supplies," to insert the words "and every annual Indemnity Bill."

Lord ROBERT MONTAGU said, that the chief argument which had been brought against him was that a change had been made last year in the transfer clause, which clause the Chancellor of the Exchequer had denominated "an evil," and which this change had "cured." The change which had been referred to might be an improvement, but they had no experience how it would work, and no security even for its continuance. At any time they might return to the old system without the cognizance of the House. But as it was agreed on all sides that the clause had failed in its object, and was an evil, he must express his astonishment at the desire which was evinced to bolster up a bad cause. He would, however, consent to withdraw his second Resolution. The Chancellor of the Exchequer had assumed that he (Lord Robert Montagu) wished him to come down to the House "every fortnight" to adjust the accounts. He meant that this should be done once for all, when the accounts were closed. The Chancellor of the Exchequer had objected also that "a Vote in excess entered into the account of the year in which it is voted." This was true of a cash account, but it would not be thus in the case of service accounts, such as those of the army and navy. He should withdraw the second Resolution.

Mr. NEWDEGATE said, he wished to remind the House of the offer of the Secretary of State for War to furnish the detailed accounts of the army expenditure, if they were moved for. He wished also to appeal to those hon. Members of the Committee who had said that there was no objection to their being presented, to say whether further examination confirmed them in that conclusion, because if they were to check the power of transfer, which had been abused, they must have before them the detailed accounts of the expenditure of the army for the past year when they were dealing with the Estimates.

Question, "That those words be there inserted," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Ordered,

That a sufficient number of Copies of every Bill hereafter introduced for the appropriation of Supplies, and every annual Indemnity Bill, be printed and delivered to Members applying for them in time for consideration before it passes through Committee of the Whole House.

PROCESSION AND ILLUMINATION ACCIDENTS (METROPOLIS).

RETURNS MOVED FOR.

MR. HARVEY LEWIS said, he rose to move an address for Returns of the names of the persons killed or injured during the procession of the 7th of March and on the occasion of the recent illuminations in the City on the 10th of March, and of persons who afterwards died in consequence of injuries received on either of those days; and of the persons injured on either of those days whose cases were reported to the City and metropolitan police, distinguishing the localities in which the deaths and injuries occurred. The difficulties which arose in the City, upon the occasion of the procession of his Royal Highness the Prince of Wales and the Princess Alexandra, were unhappily matters of public notoriety. Under the circumstances the fatal accidents to which his Motion referred, ought not to have occurred; for if ever proper notice was given to authorities, it was given on that occasion. For several days, previously to the 7th instant, the City had been engaged in making the most extensive preparations for the Royal reception, which attracted such crowds of spectators that the streets were almost impassable, so that there was ample warning of what was to be expected on the day of the arrival of the Princess. Besides, notice was given from a quarter which ought to have received deferential attention. They had the statement of His Royal Highness the Commander-in-Chief, that he had tendered the Lord Mayor the assistance of the military, which was in the first instance declined; but when the Commander-in-Chief, fortified by the opinion of a council of officers, again pressed the use of the military on the Lord Mayor, his Lordship accepted the aid of a limited number of mounted artillery. If he had not done so, the most fearful consequences would probably have ensued. But as it was, the City authorities could not be held to be free from blame. They arranged the programme and published an order for the clearing of certain streets at stated times; but long after the fixed hour the streets were encumbered with vehicles of every description in defiance of their own regulations. There was an appalling scene at London Bridge, which was crowded long after the hour that had been fixed for clearing it, and there was great anxiety as to the possibility of making a passage over the bridge for the Royal procession. So densely were the people massed in front of the Fishmongers' Hall that it was wonderful some were not crushed to death, and it was a grave question where the people on the bridge were to be forced to. A few policemen, who had been placed on the bridge to perform an impossible task, made an attempt to clear the bridge, but failed hopelessly; and when the duty was undertaken by the mounted artillery, the result was to drive an immense mass of human beings on to the already overcrowded spaces opposite Fishmongers' Hall, along King William Street, and before the Mansion House. The City procession then began to make its appearance, getting through the crowd as it best could; but only part of it crossed the bridge; and when the Royal carriages reached the centre of the bridge, they could get no farther for some time, because the corporation carriages, advancing to meet the Royal carriages, stopped the way. All that showed great want of precaution on the part of the City authorities, and at the same time evidenced in a remarkable degree the good conduct of the people, and they could only be thankful that the number of fatalities was not larger. Had there been evil-disposed persons in the crowd, or had the police displayed anger or irritation, much more serious consequences might have been apprehended. Several lives, however, had been sacrificed and limbs broken, and it was well worth inquiry how these grave accidents had occurred. In King William Street, on the Saturday, a woman had been thrown down from a stand which had been improperly erected there; her arm was broken, and she was removed to an hospital, where she subsequently died; and it was on account of that case he had introduced the 7th of March as well as the 10th into his Motion. The public mind had been painfully excited on the subject, and he thought it most desirable that all the facts that could be ascertained should be laid before the House previous to the discussion on the Motion of the hon. and gallant Member for Westminster (Sir De Lacy Evans) for the amalgamation of the metropolitan and

City police; so that the House might have correct data upon which to form an opinion.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Returns of the Names of the Persons killed or injured during the Procession on the 7th day of March 1863, and on the occasion of the Illuminations in the City on the 10th day of March 1863, and of Persons who afterwards died in consequence of injuries received on either of those days:

"And, of the Persons injured on either of those days, whose cases were reported to the City and Metropolitan Police, distinguishing the Localities in which the deaths and injuries occurred."

Mr. NORRIS said, he rose to move that the Return be supplemented by a Return of the number of persons killed and wounded on the occasion of the lying in state and funeral of the Duke of Wellington; and a copy of any order issued by the metropolitan police authorities with a view to prevent such accidents. He moved that addition because he thought that the information furnished, to be of any value, should be as full as possible, and he hoped that the House would suspend their judgment until they obtained full information. As the hon. Member, however, had given a detailed account of what took place in the City, he might, perhaps, be permitted to say that the great blunder which had been committed was that of confining the full procession to so limited a line of road as that which existed between London Bridge and Temple Bar. Another fact which he would mention was this—that on the morning of the 7th March he attempted to approach the Mansion House from the north of London; but when he got as far as the junction of Newgate Street, and St. Martin's-le-Grand, his carriage, those of other people, and a great many respectable persons on foot, were prevented getting into Cheapside by van-load after van-load of metropolitan policemen being driven from the West End through the City of London; and an obstruction of that kind having occurred, it was certainly right to inquire how far the metropolitan and the City police authorities acted in harmony upon such occasions. When one body of police was found fault with, and another was found adding to the obstruction, the House ought to suspend its judgment until the whole of the facts were before them. If it could be proved that the City authorities had neglected their duty, they ought to be called upon to resign the authority which they possessed.

Amendment proposed,

At the end of the Question, to add the words "also a Return of the number of Persons killed and wounded on the occasions of the Lying in State and Funeral of the late Duke of Wellington:

"And, Copy of any Order issued by the Metropolitan Police authorities, with a view to prevent a recurrence of such accidents."

The LORD MAYOR (Mr. Alderman Rose) said, he thought it would be inconvenient upon that occasion to attempt to answer the observations of the hon. Member for Marylebone; but when the Returns had been furnished, the whole circumstances would be in possession of the public, and they would then be able to judge of the merits of the question. He might, however, be allowed to repeat what he had stated before, that troops having been offered to him, he accepted that offer on the very day on which it was made. There was, however, some little irregularity on the part of Sir Richard Mayne in communicating the offer. Such offer was made in an unofficial manner; but the moment the offer was officially made, he at once accepted it verbally, and within two hours a written acceptance of the offer was sent to His Royal Highness the Commander-in-Chief, and that letter also thanked him for the offer so made. Further, when two officers were sent down to him (the Lord Mayor) he not only expressed his gratitude for the 200 troops who were offered, but said that if 100 or 200 more could be sent he should be thankful.

Colonel NORTH said, he wished to know whether, when his gallant Friend Sir Richard Airey first made an offer of troops to the Lord Mayor, on behalf of His Royal Highness the Commander-in-Chief, he did not meet with a refusal.

The LORD MAYOR (Mr. Alderman Rose) said, that he most distinctly stated that personally he was very much obliged to His Royal Highness for his kind consideration, but that he being the occupant of his office for one year only could not accept the offer off-hand; that personally he accepted it, but that a written communication would be sent as soon as the proper parties could be consulted, and that written communication was sent, he believed, about an hour after the interview by special messenger.

Sir GEORGE GREY said, he thought that was not the time to discuss the arrangements of the City Police. It was quite obvious, however, that that force was quite insufficient to meet the recent emergency. He had not seen the report referred to by the Lord Mayor, but had no doubt he would find it at the office on the following day. He had no objection either to the Motion or the supplement to it.

Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Resolved,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Returns of the Names of the Persons killed or injured during the Procession on the 7th day of March 1863, and on the occasion of the Illuminations in the City on the 10th day of March 1863, and of Persons who afterwards died in consequence of injuries received on either of those days:

Of the Persons injured on either of those days, whose cases were reported to the City and Metropolitan Police, distinguishing the Localities in which the deaths and injuries occurred:

Of the number of Persons killed and wounded on the occasions of the Lying in State and Funeral of the late Duke of Wellington:

And, Copy of any Order issued by the Metropolitan Police authorities, with a view to prevent a recurrence of such accidents.

PARTNERSHIP LAW AMENDMENT BILL—[BILL 26.]

SECOND READING.

Order for Second Reading read.

MR. SCHOLEFIELD, in rising to move the second reading, said, the Bill contained a considerable number of provisions, but the main one was intended to extend the principle of limited liability to private partnerships, and to enable clerks to share in the profits of a concern without incurring the liabilities of partners, or acquiring the rights of partners. There were also clauses introducing the principle of arbitration into partnerships, where arbitration clauses did not already exist; and, finally, there were provisions for registering the names of parties not already mentioned in the titles of the firms to which they belonged. The Bill contained so many different provisions that it had provoked hostility in various quarters; but he might say at once that he regarded as its leading principle that which related to the limited liability of partners. No one would deny that contracts, whether of partnerships or anything else, should be as free and unrestricted as possible, excepting where they were immoral in themselves or adverse to public policy, or where they were so susceptible of fraud that it would be better to refuse than to admit them. Nor was he then called upon to defend the principle of limited liability, for it had already been sanctioned by Parliament, and was, in fact, part of the law of the land. He merely had to advocate the application of the principle to private partnerships. At present, if a capitalist wished to assist a relative, a deserving clerk, or an inventor, there were only two modes by which he could do it. One was, by lending money at a fixed rate of interest; and the other was, by becoming a partner of the person whom he desired to befriend. If he lent money at a fixed rate of interest, he might not be tempted by the amount which he would receive; or if he obtained a satisfactory amount, it might be far too heavy for the business to bear, especially if the business were one of fluctuating profits. On the other hand, by becoming a partner in the concern, he made himself liable to his last acre and his last shilling. Few men were disposed to run so great a risk, and the consequence was, that a great deal of capital which would otherwise be introduced into commercial enterprises, and so brought to the aid of men of intelligence and perseverance, now went into other speculations, many of them in foreign countries, which were thus enriched at the expense of our own. The present Bill was meant to obviate that difficulty. Its object was to enable any capitalist, if he felt so disposed, to advance a fixed sum of money to a private partnership, becoming a limited partner in the concern, liable only for the amount he had placed in it. That facility, however, was accompanied by stringent provisions of registration, and the registration would give the names of all the partners, limited as well as unlimited, showing the amount of money which each limited partner had put into the concern, and stating the conditions upon which, and the time for which, it was advanced. It would afford, in short, all the information which creditors had a right to ask. The name of the limited partner would not be mentioned in the title of the firm, and he would not be liable to bankruptcy; but of course it would be different with the general partners, who would be liable to their last farthing. He need hardly say that the subject of limited private partnerships was not a new one to

Parliament. So long ago as 1782 an Act had been passed in Ireland, the object of which was precisely the same as that of the present Bill. In 1836 the right hon. Baronet the Member for Portsmouth (Sir Francis Baring) prepared the heads of a similar measure; and in the following year Mr. Bellenden Ker, in a Report drawn up at the request of the Board of Trade, admitted that the system was in most successful operation throughout the Continent. Two high authorities—Lord Overstone and the first Lord Ashburton—gave evidence on the subject before a Parliamentary Committee in 1844, the first objecting to any change of the law, and the second expressing himself as, upon the whole, favourable to limited liability, on the ground that it would bring out a great deal of capital now lying dormant or sent to other countries. In 1851 another Committee recommended that power should be given to lend money for periods of not less than twelve months, at rates of interest varying with the rates of profits, the lender not being liable beyond the sum advanced, and proper precautions being taken against fraud. The Mercantile Law Commission in 1853 was divided in opinion, the majority deciding against limited liability partnerships, but three of the Commissioners—Mr. Baron Bramwell, Mr. Anderson, and the hon. Member for Bridport—declared themselves in favour of limited liability, and signed a separate Report to that effect. In 1854 the House, upon the Motion of the hon. and learned Member for Plymouth (Mr. Collier), affirmed a Resolution declaring that the law of partnership which rendered every person who, though not ostensibly a partner, shared in the profits, liable for the whole debts of the partnership, was unsatisfactory, and ought to be so modified as to permit persons contributing to the capital to share in the profits without incurring a liability beyond a certain limited amount. Such was the decision of the House in 1854, and the Bill which he then submitted to their consideration was really founded on that Resolution. The present state of the law on the subject did not rest upon any statute, but on a decision of Chief Justice Eyre in 1793, which was impugned by men of great eminence, among whom were Mr. Baron Bramwell, the right hon. Gentleman the Member for Calne (Mr. Lowe), and Mr. Rickards, counsel to the Speaker. Mr. Stuart Mill, Mr. Senior, and other distinguished economists, also advocated this principle; the whole constituting a sufficient weight of authority to justify him in claiming a favourable consideration for his proposal. The system of limited liability was, moreover, in operation on the Continent of Europe as well as in the United States of America, and it was favoured by some of our most eminent legal societies, and supported by a great number of the chambers of commerce, though he was sorry to say not by all, one of the exceptions being that of the city of Glasgow, whose objections would be stated by the hon. Member for that city (Mr. Buchanan). If the House should be pleased to agree to his Motion, he would ask that the measure be referred to a Select Committee. He begged to move that the Bill be now read the second time.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. BUCHANAN: Sir, the Bill before the House should have been divided into two or more Bills, as it contemplates several distinct and separate objects. The most important of these is the extension of limited liability to all partnerships, and the other next in importance, is the registration of partnerships. It would have been desirable to have had an opportunity of discussing these subjects separately, as many who approve of registration of partnerships are opposed to the extension of limited liability. This appears evident from the Petitions which have been presented to the House. It might, therefore, be a desirable course to refer the clauses of the Bill, as to registration, to a Select Committee. It would then be found what are the practical difficulties to be overcome, whether it is possible to define a partnership with sufficient clearness, whether partnerships for special purposes and for short periods should be registered, and whether the trading of the poorer classes should be burdened with the cost and trouble attending registration. All these are matters of detail, and if there is no objection to the principle involved, might with advantage be left to the discussion of a Select Committee. But I object to adopting the same course in regard to the more important part of this Bill, which proposes to extend the principle of limited liability, by making it permissive in all partnerships.

Objecting strongly to that proposal, I have thought it only fair to those hon. Members who may agree with me, as well as to the numerous mercantile bodies who by petition or otherwise have expressed their hostility to the Bill, to move an Amendment, which will at least produce discussion, and test the opinion of the House. I am sure that the hon. Member for Birmingham, whose judicious and practical course in this House no man more appreciates than myself, will not regard what I have proposed to be discourteous, more particularly as it coincides with the advice and deliberate opinions of various commercial bodies whose sentiments are entitled to great consideration. I have had the honour of presenting a petition from the Chamber of Commerce of Glasgow, objecting to the extension of limited liability; the Chambers of Commerce of Halifax and Hull have followed the same course; and the Associated Chambers of Commerce at their recent annual meeting, held in London in February, have also condemned that principle.

I shall not notice the various steps which have been taken with a view to alter the law of partnership, by introducing limited liability previous to 1853; and I refer to the Report of the Royal Commission appointed in that year, principally because it contains the most valuable arguments and facts bearing on the subject, and may be regarded as a text book of the theory and practice of limited partnerships. The Commission consisted of eight Members, all of them men of high position, and legal or mercantile experience. After examining much evidence contained in written replies to queries circulated by the Commission among leading statesmen, lawyers, and merchants at home, and having also communicated with merchants in foreign countries, they came to the conclusion, by a majority of six to two, that it was inexpedient to change the law of partnership. But this decision did not abate the ardour of the supporters of limited liability. In 1855 a Bill was introduced on the Motion of the right hon. Gentleman the Member for Kilmarnock, on behalf of the Government, and became law, enabling joint stock companies to be registered with limited liability. A further step in the same direction was made in 1858, when banking companies were enabled to avail themselves of the same privilege. In regard to that legislation, it is not my intention to say a single word, either in approval or condemnation. The wisdom of Parliament has sanctioned, and in the recent consolidated statute has deliberately re-enacted, the principle of limited liability in regard to joint-stock companies and banks. We are now asked to take a much more important and more perilous step. We are asked to permit this limitation of liability in all partnerships, by adopting the French form of *commandite* companies.

It is therefore high time to inquire what has been the success of our experiments hitherto. And first of all, have we had sufficient time to judge of these statutes, which have only been perfected by the consolidated Act of last Session, and exist on the statute book only eight and five years respectively? There has not, therefore, been a long experience of this new principle in our mercantile law such as to justify a farther advance in the same direction. But it may be said—Has there been any marked success at all? Has public opinion sanctioned the change of the law by any distinct and unanimous expression? If there really had been a general agreement in favour of limited companies, there would be sufficient proofs of it in the general adoption of the system. Three Returns in regard to limited companies, have been presented to the House, the first and last on the Motion of the hon. Member for Argyllshire, and the second on the Motion of the hon. Member for Lancaster. By the first of these Returns it appears that during three years, from the 17th July 1856 to the 29th July 1859 (omitting the first six months after the Act came into operation), 1,010 joint-tstock companies were registered in England, or 336 annually; and during the same period 290 of these companies were abandoned, or nearly one-third of the whole. During the period embraced by the second Return, two years and a half, there were registered 901 companies, and 73 abandoned; to which must be added the abandonments in a supplemental list, coming down to 1862, and amounting to 214 additional, making 287 companies abandoned, of 901 registered, or considerably above a third. The last Return is for the year 1862, during which period 423 companies have been registered, and 61 abandoned, including a supplemental list of companies previously returned. Similar Returns applicable to Ireland and Scotland have been presented, and give nearly the same results. In seven years the whole number of companies registered in England has been 2,334, and of these 638 have been abandoned, or something approaching to one-third of the whole number. Any one who considers the enormous extent of English commerce will admit that these figures are significant, and indicate no great desire on the part of the public to enter into such companies. The great boon of limitation of liability seems so far to have been little appreciated. As regards banks, the Returns are even more suggestive. Since the passing of the Act, in 1858, only nine banks have been registered with limited liability, and of these one has been abandoned. None of the old-established banks have availed themselves of the privilege, so far as the Returns show; but it is understood that two banking companies, one at Manchester and one at Liverpool, have recently been reconstituted on that principle. During 1862 thirty-six banks have been registered, many of them quite recently, and as to all we have only a short experience. Again, it may be asked, where is there any proof of public anxiety for limited banking companies? Colonial banks incorporated by charter and with special conditions of liability (generally twice the amount of shares) are not included in these remarks. Of the 2,334 companies registered, 638 have ceased to exist, dissolved, wound up, and many of them bankrupt. It is to be regretted that the Returns before the House contain no records of the winding-up of these companies in the courts of law. It is believed that in many cases they would present examples of reckless mismanagement, and not unfrequently of swindling. In all of them it will be found that debt has been freely incurred, and that the dividends for distribution among creditors have been small. The hon. and learned Member for Guildford, whose great experience in the courts of law entitles his opinion to much weight, said, in the debate on the 13th May, 1858—

> "In the cases [of limited liability companies] which had come into the courts, it had generally appeared that all the money which had been paid up was spent, and that there was nothing for the creditors."

No doubt, subsequent experience has been of the same kind, though, so far as I know, not attested by the same high authority. If current rumours are to be trusted, the disclosures made in the winding-up of these companies continue to be disgraceful.

All these facts afford no encouragement to extend this system. The advocates of this Bill are bound not only to show that so far there has been success in the working of their principle, but that such success has been marked and decisive. The burden of proof rests with them; they must establish a success which warrants a farther advance in the same direction, and we ask for facts to justify that course. But it is said, limited liability and *commandite* companies have worked well in other countries. I confess that I have been unable to find any conclusive proof of that great success; at least, it is not to be found in the evidence laid before the Commission of 1853. France has been mainly relied on, and the forms of the French law have been imported into this Bill. But, let any one go over the evidence, and he will find that instead of a history of great success, we have only apologies for non-success from the principal French witnesses. They have told us, not that the *commandite* principle has succeeded, but that it has been abused. Even the hon. Member for Bridport, who was one of the Commissioners and reported favourably of the French law, does not deny that it has been abused, and that the practice of mixing up the two different principles of *sociétés anonimes* and *en commandite* ought to be abolished. I cannot do better than refer to the summary of this part of the argument in the Report of Mr. Slater, one of the Commissioners, which will be found at page 44 of the Report. To the same effect Mr. M'Culloch has written in the late edition of the *Encyclopædia Britannica* (article "Partnership").

It is alleged that in America the success has been great, but the testimony to that effect is not unanimous. Sir William Brown, well known and respected in this House, Messrs. Haven and Curtis, of Boston, Messrs. Biddle of Philadelphia, and Binnie, an eminent American jurist, all agree as to the frequent abuses resulting from *sociétés en commandite.* To the same effect is the testimony of Mr. M'Culloch, in the article already alluded to. From Holland and Belgium also we have conflicting testimony as to these societies. In all cases there is an admission of abuses, and numerous proposals for remedy. Again, it may be asked, are these evidences of success sufficient to warrant us in following these foreign examples? Do not tell us that the principle is a good one, but has been ill-worked. You ask us to adopt a new law, and on you lies the proof that it has elsewhere succeeded. Your argument requires that you should have not partial, but great, and even brilliant success. I confess, I do not know where such proof is to be found. From anything that appears in evidence, at home and abroad, we are not warranted in making further changes in our law. It is merely to carry out a theory that we are asked to adopt the Bill. The Legislature has sanctioned the principle of limited liability in recent statutes; and in order that there may be uniformity in our laws, all partnerships are to be brought under the same category. But that is not a practical argument. In many cases it may be right to go a certain length, and quite wrong to go further. It remains for those who demand a further change in the law, to prove that they are recommending a safe course. But further it has been said, why should parties be restrained from forming any contracts which they may deem for their interest? If the conditions are avowed, and contemplate a legal object, there should be no impediment to such contracts. Interference and restraint are contrary to the principles of freedom recognized in recent legislation. No one has put this argument with more clearness and power than the right hon. Gentleman the Vice President of the Board of Education, who says, at page 84 of the Report—

> "The only case in which the State is justified in prohibiting parties from contracting, is where a contract arises out of a breach of law or morality, as gambling, or is made for the purpose of a future breach of law and morality, as smuggling, or is in itself a breach of some other substantive law, as insuring an enemy's ship. I can find nothing against morality, nothing against public policy, in the legal sense of the word, in contracts of limited liability; and as to whether such contracts are advantageous to those who enter into them, afford facilities for fraud, tend to impair the credit of the concern, or encourage unhealthy speculation, I think we may fairly leave individuals to judge, without State interference."

This argument is carried too far when it assumes that the State, as guardian of the public interest, is under no obligation, in so far as just and equal laws can accomplish it, to prevent fraud. It is much the same as if it were maintained that the State is not bound to prevent larceny. The great principle *salus populi, summa lex*, requires that the freedom of the subject shall be restrained in various respects. All law is a system of restraint. A man may not scatter firebrands, nor randish deadly weapons, nor sell poisons; neither ought he to be allowed to make contracts manifestly affording facilities to fraud. In the opinion of the most competent authorities, the further extension of limited liability would produce wholesale swindling. If so, the State is not only bound to afford no facilities, but to resist to the utmost whatever may lead to such consequences. Of course, the weight of this argument will depend on the proof that limited liability tends to encourage contracts of a collusive and fraudulent kind, and that will be attempted to be shown. In the mean time, I may say that the great objection to such companies, their inherent and ineradicable defect, is that they open a wide door to fraud. Even the hon. Member for Bridport, in his able and valuable paper in the Appendix to the Report of the Royal Commissioners, has guarded his statement of the general principle that there should be perfect freedom in contracts, by the notable reservation, "guarding against wilful deception." If wilful deception could be guarded against, this Bill would stand in a better position, but the proviso of the hon. Member cannot be made effectual, and his whole argument is consequently undermined.

As has been already said, the Bill before the House has adopted the principle of the French law of *commandite.* The third clause shows what is the nature of the proposal. Any company consisting of two or more persons, may be registered as a limited company. Two persons, of whom one shall be the general partner—the *gérant* of the French law—and the other the special partner, or *commanditaire*, upon complying with certain conditions of publicity, as narrated in Clause 4, may demand of the Registrar of Joint Stock Companies, to be registered as a limited company. It may seem an extreme case, but it is not improbable, that two persons might form such a partnership; the one possessed of capital, the other of skill. If the capitalist should pay up the capital to be registered (though for the actual payment there is no security), it would be known to the world; but as to the general partner, there is no certainty that he shall have paid up or be possessed of anything at all. These parties might proceed to trade, to contract debts, to divide profits, whether earned or not, and finally become insolvent, leaving nothing for their creditors, though their debts may have exceeded the amount of their registered capital twenty times over, and the nominal profits which have been drawn out be more than the original stock of the company. It must be manifest that such a law would afford the temptation and the opportunity to fraudulent and collusive contracts among partners—to a system of false valuations and dishonest accounting, rendered easy, as every practical merchant knows, by the difficulty of appreciating mercantile assets, scattered over the world. The first marked distinction beween the existing law of limited joint-stock companies and the *commandite* companies to be formed under the present Bill, consists in the different objects which they respectively contemplate. Hitherto, limited joint-stock companies have been usually registered for purposes of public advantage, as the supply of water, gas, public parks, canals, or undertakings of risk and magnitude, beyond the reach of private enterprise. If the Returns on the table are consulted, it will be found that such has generally been the character and objects of these companies. The present Bill holds out no such pretence ; private gain is the only object. Whatever indulgence or relaxation of the law it may have been considered expedient to make in the public interest, no similar favour should be shown to private speculations.

Farther, seven partners are required by the law to be associated in a limited joint-stock company. Two partners, one of whom may be a man of straw, may constitute a partnership under this Bill. The difference is important, for seven men cannot combine to defraud their creditors with the same facility as two. The joint-stock companies were required to make their proceedings public. The amounts of capital subscribed, and the amounts paid, were specified and registered. There was a periodical audit provided to be made by neutral auditors, and skilled accountants scrutinized the balance-sheet before profits could be declared. All these precautions in the public interest are to be abandoned. There is to be no published statement of the whole capital account, much less of the items of which it is composed, whether of cash or goods. There is to be no means of knowing whether the limited capital, which is registered, has been actually paid up. There is no provision for a scrutiny of accounts before profits are declared ; even an ordinary balance by the partners is not enjoined. For anything that appears to the contrary in the clauses of the Bill, alleged profits may be divided without being earned. If subsequent losses occur, there is no provision for making up the capital to the amount registered by the special partners, so that the register itself may become a snare, instead of a guide to the creditors of the company. On all these points, I cannot do better than quote from the Report of the Commissioners; and I shall briefly refer to the opinions of Lord Overstone, than whom there can be no higher authority ; of that acute and learned Judge Lord Curriehill, one of the Commissioners, besides several Members of this House, whose opinions I quote, both as having an opportunity to correct me, if I shall mis-state them, and as being generally opposed to my views. Lord Overstone's opinions will be found at page 96 of the Report. The quotation from Lord Curriehill's Report is at page 17 ; the hon. Member for Calne, page 84 ; the hon. Member for Manchester, page 100 ; and the hon. Member for Peterborough, at page 102. With these high authorities, we are entitled to say that any Bill should be rejected by this House which neither requires the publication of the whole capital of a company nor provides machinery for audit of accounts or the replacement of lost capital. One point may be noticed, though in itself of little consequence. The French law prevents the special partner from interfering in the management of the *commandite* company. The provision is of little value, in so far as it is impossible to prevent the co-partners from holding unofficial consultations which might equally control the *gérant* as direct interference. But the principle of the French law is good, in so far as it is meant to prevent a partner with a limited risk from sporting with the funds of the company. But even this safeguard, imperfect as it is, has been omitted in this Bill. Nay, what is still worse, the special partner is not prohibited from signing the firm of the company. For anything that appears to the contrary, he may commit his co-partners by word or writing to any extent, while he himself incurs a limited risk only. The only safeguard proposed by the Bill against acts of management by the special partner is that his name shall not appear in the firm. Farther, the trading of individuals for their own account, frequently the most prudent and efficient trading, is placed at an unfair disadvantage by being exposed to the reckless competition of limited companies. But it will no doubt occur to many, why should this be so? If two partners, one of whom may be a man of straw, may trade limited, why may not an individual also announce that he has registered a limited amount of his capital, which alone will be available for his trade debts. True, this is an *argumentum ad absurdum*, but consistency requires that the advocates of this Bill should draw a clear line of distinction, by showing wherefore one man should be debarred from a privilege which is claimed for two men, though in both cases there may be but one capital.

Before quitting the specific proposals of this Bill, it may be noticed, that its framers have disregarded the recommendations of the Law Amendment Society. That society has recommended that the capital, no doubt the whole capital, should be paid up, though how that is to be ascertained is not very obvious. No portion of the capital may be withdrawn, though profits may be paid out, and the special partner may not sign the firm, make contracts, or engage or dismiss servants. None of these securities against abuse are to be found in this Bill. It may be said that those who object to this Bill should do so on special grounds, but that no general argument against limited liability is admissible, seeing that principle has been already adopted by the Legislature. It should be borne in mind that the present proposal is of a very comprehensive character, embracing all partnerships of whatever kind, and seeking to introduce a principle hitherto untried save in special and exceptional cases. It is therefore not only quite fair, but necessary to argue the question in all its bearings. In taking that course we cannot pass over those arguments which are relied upon in support of the principle. In the first place, it is said that limited partnerships would tend to utilize capital and bring forward those dormant stores which timid men will not employ in trade exposed to the risks of the present law. But that argument is of little weight in a country like this, where capital is not only abundant, but in excess. In various foreign countries there may have been a necessity for stimulating the application of capital to trade. Commerce was a sickly plant, and there was no confidence in her operations. It required some limitation of possible loss to induce timid men to expose their property to what were held to be most formidable hazards. But among ourselves such a necessity has never been recognised. Capital has always been abundant for the legitimate objects of trade, and is now more abundant than ever. Let it not be supposed that it is necessary to develop the trade of the country; so far from that being required, a less rapid expansion and development might be desirable in many departments. In all branches of trade the tendency not casual and variable, but normal and uniform is to overtrading. Take, as an instance, the great cotton industry of the north. If all the wheels of Lancashire were again revolving, the consuming power of the world, so far as it has been tested, would not suffice to take off the produce. Capital flows into the channels of trade with no feeble stream, and our policy at the moment seems to be to restrain rather than stimulate the supply.

Another argument for this Bill is addressed to our compassion and generosity. It is said that young men of character and ability, as well as inventors in the arts, would find patrons willing to assist them with limited capital who do not find such supporters under the existing law. The argument is more specious than real. At no time since Britain was a trading country has there been a greater demand for the talents and energies of qualified young men, nor was there ever a greater certainty that such qualities would meet a due reward. No doubt, ardent youths, unwilling to achieve success in the old paths of industry and patience, might at an earlier period enter on the responsibilities of business. But it is most questionable whether the public benefit would be promoted by such a change. The weak point in limited partnerships is, that they encourage rash and speculative trading, and for such enterprises young men, of all others, are the least qualified. The great and most important objection to this Bill is, that it proceeds upon a principle utterly subversive of the law of the country, recognised in innumerable decisions and enforced for many centuries, that every man shall be liable to pay his debts in full. It is said, indeed, by speculative writers, that unlimited liability for debt is not founded on any principle of law, but has been based on the dicta of the Judges. It is needless to inquire into a matter so little practical, as there cannot be any doubt that the English law for centuries has made a debtor liable for his whole debts both in purse and person. But especially is it just that there should be full liability for partnership debts. These are contracted for the benefit of all the co-partners, and thence there arises an equitable obligation that they should be discharged by the joint means and property of all. But while equity clearly points to all the participants or expectants of gain as bound to meet loss, the same principle of equity refuses to sanction any right to devolve such loss on creditors, or, what is the same thing, on the general public. Limited liability is most inequitable in this respect. Lord Overstone, in his paper on limited liability, *anno* 1837, most justly says—

> "In the case of the insolvency of a concern, it removes a portion of the loss, which must be borne by some party, from those who have voluntarily engaged in the concern, and who have had the means of watching and controlling its progress, and who would have been the sole participators in the benefits of its success; for the purpose of throwing it upon those who have had no means of insight into the state of the concern, nor power over its management, and no share in its advantages."

If commerce could be carried on without loss, there would be no harm in limited liability, but occasional loss being as certain a condition of trade as average gain, why should those who derive the profit not bear the loss? And seeing losses must occur, there can be no advantage in shifting them from the shoulders of the rich to those of the poor; for it may be assumed that poor and struggling tradesmen, compelled by the necessities of their position to give credit and run imprudent risks, will generally be the creditors of limited companies. But I would ask further, where is the equity to merchants as a class in thus sanctioning an invasion of their proper domain by an array of outside competitors? The lawyer or the physician would not like his gains to be shared by any other. His long training, his intellectual acquirements, are all his own. But in the case of the merchant or trader, will it be said that there is no peculiar training, no special aptitudes— the result of labour and effort, requiring powers as distinctive as any other profession, and which only those trained in that school usually possess? Where, then, is the equity of opening up the counting-house or the factory to non-mercantile adventurers? By all means let those become traders, but let them run the risk of trade. The law is not bound to place them in a position for which they are not fitted, and secured by protection which involves injustice to others.

The worst result of limited partnerships will be found to consist in the wholesale immunity which they afford from the legal consequences of debt. It has been said, these companies will tend to the establishment of a system of cash payments, and the abandonment of credit. There can be no greater delusion. Whether we argue on theory or facts, we shall find the very opposite result to be established. Such companies, in their very nature, imply a system of credit. Where there is no debt there is no liability, and no need for legal protection. And, in point of fact, we know that such companies ask and obtain credit with the utmost facility. If the Returns before the House are consulted, there will be found ample proof of the extent to which they have obtained credit, as well as how they have abused it. Doubtless, prudent dealers should refuse to give credit to those who avow that they will be influenced by no honourable considerations and no principles of justice, but that under the shelter of the law they will defraud their creditors. Unfortunately, such is the struggle for business among competing tradesmen, and such are the necessities of dealers to obtain orders, that the greatest risks are eagerly run. Nor need it be wondered at that these companies are favourably regarded. It is part of the system to present an array of respectable names—men known to be rich, and deemed to be prudent, even from the very circumstance that they are trading with limited liability. But, let us look to the facts. On the face of the Returns it is made clear that one-third of these companies have become bankrupt, and left their creditors unpaid. If such was the case under the restricted application of the principle as it has existed since 1855, it may well be anticipated that there will be a fearful increase of insolvency, mismanagement, and swindling, under the proposed extension of the system. Again, the tendency of limited partnerships is to foster excessive and illegitimate competition in trade. No traders are so utterly reckless as those who have nothing to lose. And it would be found that in proportion as risk was limited, there would be a proportionate disregard of prudence and calculation. Wild and rash speculations would be encouraged by the knowledge that failure involved no irretrievable, perhaps no serious result. Under this new law we should see arise innumerable co-partnerships competing with each other in total disregard of consequences, actuated by trade jealousies and rivalships, and rushing on in a career hurtful to themselves, ruinous to others, and destructive of all honest and legitimate trade. Surely, the advocates of this Bill do not wish to see British commerce degraded by this desperate gambling. But we have abundant evidence scattered through the whole of the blue-book, and especially contained in the answers to the queries of the Commissioners, that limited companies, from their very nature, tend to these results. If an example on a large scale were wanted of their needless expenditure and mismanagement, none better can be found than the history of British railways. If the directors of railways had been spending their own money, or even that of their shareholders, unprotected by Acts of Parliament, they never would have gone to such excess in extensions, competing schemes, Parliamentary contests, and legal costs. The hon. Member for Buckingham has borne testimony to the competition of limited companies, and has also instanced railways in confirmation of his views (page 104). It thus appears that we are asked, under pretence of promoting commerce, to adopt a system which will drive prudent merchants from the field. Lastly, this Bill would give a fatal blow to mercantile character and morality. It has been held the glory of a merchant to meet all his engagements with scrupulous honour. I have heard in this House, on more than one occasion, when some exceptional instance of an opposite kind had startled the public mind, language used which seemed to imply that there had been an abandonment of those old principles and traditions which in by-gone times have raised so high the character of the British merchant. Such statements are rash and groundless. No one can know the interior working of that great system of mutual confidence and honour which constitutes British trade, the tens of thousands in value which change hands by a word or a sign, and the security with which, based on well-known forms and customs, the daily routine of affairs proceeds, but must admit that even the lawyer's parchments do not bind faster than the merchant's word. But this state of things may change; and should this Bill become law, it probably will change. It is proposed to make bankruptcy no longer disgraceful. Under this proposed law a capitalist will not content himself with one adventure. We cannot doubt, from what we know of the energy and enterprise of our national character, that we shall find merchants engaged as limited partners in various companies. But no one can expect to be equally successful in all his undertakings. He may be bankrupt in one concern and solvent in another. In what position will that man stand, not legally, for that unfortunately is defined by this Bill, but morally? Will he have incurred the greatest stain which can soil the name of a merchant, or under the demoralizing influence of this new law will he be a bankrupt and not be ashamed? It is only the other day that we have abolished imprisonment for debt. If we go farther back, we shall find the bankrupt treated as a Pariah, and (at least in the North) clothed in a debtor's garment, of which he could not divest himself until he had purged the stain of debt, and become entitled to take his place among honourable men. I have not a word to say in favour of such obsolete barbarisms, but there is no reason why we should go to the opposite extreme, by enacting that bankruptcy shall be no longer a stain, and bankrupts incur no social disqualification. There is a law in the statute book, 52 *Geo.* III., c. 144, which requires a new writ to be issued in lieu of any bankrupt who may have a seat in this House, and that law has not been repealed by any subsequent amending or consolidating Acts. The position of an insolvent who has failed to meet his engagements in one or many limited companies, will be peculiar and anomalous in regard to this law. What course you, Sir, might think it necessary to follow in fulfilment of your duty, I will not pretend to say; but this I think I may say, that there should be no limited liability resting on the Members of this House to maintain its honour and its dignity, and these will be best defended by rejecting this Bill. I hope to learn from Her Majesty's Government that they are prepared to adopt that course.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Question proposed, "That the word 'now' stand part of the Question."

MR. GREGSON said, he rose to second the Amendment. He was opposed to the principle of limited liability, and went upon the old English principle, that if a man contracted a debt, he ought to be made to pay, unless he became insolvent. The

Act of last Session only passed in August, and came into operation in November, and they ought to have experience of the working of that Act before they legislated further in the same direction. He did not see why the same principles should not be applied to joint-stock companies that were applied to railway companies, in respect to which there was a standing order of the House, that they should not borrow any money till 50 per cent of the capital was paid up, and then not more than one-third of the capital.

Mr. MILNER GIBSON said, the hon. Gentleman who had moved the rejection of the Bill, and the hon. Gentleman who had seconded that Motion, had both argued against the general principle of limited liability. Now, he thought he was entitled to assume that the general principle of limited liability had been adopted by the House, and it was not necessary, in dealing with the question before them, to argue that general principle. What they had to consider was how the hon. Gentleman who had charge of the Bill proposed to apply that general principle to this particular measure, and what were the safeguards and provisions he had introduced. With regard to the various provisions contained in the Bill, as the hon. Member proposed to refer it to a Select Committee, it was hardly necessary to go into the details. He agreed in the general proposition, that a man ought to be able, with proper safeguards, to advance money on the condition that his interest should depend upon the profits, without being liable to be considered a partner. And workmen, he thought, ought to be allowed to be paid by sharing in the profits of their employer, without being considered partners. But he agreed with the hon. Member (Mr. Buchanan), that if a person were to be allowed to share in the profits of a concern without being subject to unlimited liability, he ought to take no share in the management, and in that respect he thought the Bill was defective. He believed that was the principle of the French law as to partnerships *en commandite*. There were some provisions in the Bill which he wished to guard himself from being supposed to sanction. The hon. Member wished to have all disputes between partners terminated by compulsory arbitration. He (Mr. Milner Gibson) thought they should be allowed to decide matters for themselves. He strongly objected to that part of the Bill which provided for the registration of all firms in the United Kingdom carrying on business under any other designation that the full Christian and surname of every one of the partners. The registration of all those firms would be a very formidable affair. The present joint-stock companies office in connection with the Board of Trade would be totally inadequate; and if to carry out that provision it was necessary to have a central office in London, with local officers all over the country, it would require an office in London as large as the Bank of England. At the same time, he thought there were provisions in the Bill well worthy of consideration, and consistent with the general principle of limited liability already adopted by the Legislature. Therefore, he would vote for the second reading, the more especially as the hon. Gentleman proposed to refer the Bill to a Select Committee.

Mr. MALINS said, that he could not see any principle on which, if they allowed limited liability to seven or eight, they could deny it to two or three. [An hon. Member: Or one.] He denied that the principle of limited liability had signally failed. On the contrary, he contended, as a practical man, that it had been a signal success. The proof was the almost invariable practice of starting new companies on that principle. It was a great benefit that people could put a certain sum in a concern; and even if that was lost, that they need not necessarily be ruined. But it was said that the creditors were defrauded. That, however, was a great mistake; all that the new law had done was to teach people prudence and foresight. He denied, also, that the limited liability companies had all failed. Many of them had achieved a brilliant success, and some of them would never have been started at all on any other principle. Would any one, for example, have ever thought of projecting the splendid hotels which had lately been set on foot if the law had not been altered? It was not necessary to discuss the details of the Bill, because it was to be sent before a Select Committee, but he greatly approved of the proposal to enable servants to be paid by a percentage without being thereby made partners, or to allow persons lending money to be paid by a fluctuating interest without leading to the same result. He should cordially support the second reading.

Mr. T. BARING said, that the old principle upon which English commerce had been carried on was, that every man who shared the profits should also be answerable for the losses of the trading; and if there were concerns which required an accumulation of capital beyond the means of individuals, a Royal Charter would confer limited liability. So far was the principle of limited liability from leading to the exercise of greater caution, that it would diminish care and must lead to inflated speculation. Under the old system the trader was required to look to his liabilities; under the Bill that responsibility was to be thrown upon the creditor. It was under the old system that the reputation, honour, and credit of the English merchant had grown up, and good reason ought to be shown before it was altered. Unlimited liability had hitherto been done away with only with regard to large companies; and its abolition with regard to every transaction and every concern, however small, must introduce great distrust into commercial transactions, and would probably lead to great losses, calamities, and disasters. If he had wanted reasons for opposing the Bill, he should have found them in the speech of the right hon. Gentleman the President of the Board of Trade, whose remarks were sufficient to show that this was a most crude, undigested, and unsatisfactory measure. He objected to almost every clause of the Bill, and only justified his vote for the second reading on the ground that something might be made of it in Committee. That, however, was not the way to treat a subject of such grave importance. The last Limited Liability Bill which was presented to the House was introduced by the Government, and yet it was altered at least five or six times; and if the Bill before them ought to have been brought in at all, it ought to have appeared under similar auspices. The House ought not to alter the whole foundation of commercial security on the Motion of a private Member, without the consideration and without the sanction of the Government. Without such sanction the Bill ought not even to go to a Select Committee. Select Committees might very well deal with the details of measures upon the principle of which the House was agreed, but in this case the details involved the whole principle of the Bill. The reason why the system of *commandite* was adopted in France was, that it was impossible to raise sufficient capital to carry on the trade of the country without securing men against complete liability. In this country, however, no such necessity existed. The House ough to hesitate before it moved one straw which would shake the commercial credit of England; and although he did not question the good intention with which this Bill had been introduced, he doubted whether it would facilitate sound and honest trade, and he should vote against the second reading.

MR. MILNER GIBSON explained that he had expressed his concurrence in two of the main principles of the Bill—that persons might advance money to a trading concern, receiving by way of interest a share of the profits, without being constituted partners, and that servants might under similar conditions be paid by a share of such profits. He thought that these provisions might be accompanied by sufficient safeguards, and therefore felt himself at liberty to vote for the second reading of the Bill.

MR. BAZLEY said, he looked upon limited liability as a great evil. It was true that the principle was recognised in the case of joint-stock companies, but for individuals and small associations of half-a-dozen persons the principle was untried, and would, in his opinion, be most injurious to sound trade in this country. He should therefore give his hearty support to the Amendment.

SIR HUGH CAIRNS said, that as the law stood there was not the least practical difficulty in remunerating clerks by a salary proportioned to profits without incurring the risk of partnership, so that no amendment of the law was necessary in that respect. As to the proposal that persons should be allowed to lend money and receive a share of profits without thereby becoming partners, he recollected that in 1855-6 an attempt was made to provide for loans such as the Bill contemplated; but, after full discussion, everybody who considered the subject came to the conclusion that the principle of limited liability might be safely introduced in respect of companies, but not of persons advancing loans. The company was required to announce itself as formed on the principle of limited liability, and those who dealt with it were thus put on their guard, and were enabled to ascertain from the registry, if they thought fit, what was the capital of the concern and who were liable. With regard to private partnerships, however, it was impossible to introduce any system of that kind. Suppose a firm established in Manchester or Glasgow, or in places more remote, how were the persons dealing with it to know that the firm was kept afloat by loans from persons who were not partners? How could persons, before entering into transactions with such a firm, send up to London and search the register for information? Then, again, it was not possible that the Joint-Stock Company's Office could register every petty loan made to firms throughout the kingdom. That office could not perform the work. The Bill contained no provisions by which the public would be put on their guard and informed who were lending money upon the principle of limited liability. He regretted that the Board of Trade, to whom the mercantile public naturally looked for protection, were willing to allow a measure of such grave importance to be scrambled for in a Select Committee, instead of introducing it, if they really approved its principle, upon their own responsibility.

THE SOLICITOR GENERAL said, that the opponents of this measure seemed to have addressed themselves to the defects of details much more than to the question whether the principle involved was a sound one. That, as he understood, was the point to be determined at that moment; for the mere fact that a Bill contained clauses requiring amendment, or that additional safeguards were necessary, afforded no reason why the Bill should not be read a second time. He agreed that private partnerships on the principle of limited liability should be ear-marked as such, and that that fact should appear in all their notices; but the want of such a provision was a matter of detail which might easily be supplied when the Bill was in Committee. The question before the House was whether an amendment of the law of private partnerships, as regarded that point, was not needed. The House had been told of a distinction so fine that even the framer of the Bill had failed to grasp it. The language of the clause assumed the law to be what it was not—assumed that a clerk would be liable as a partner when he would not; while the marginal note put the matter on its true footing. If a clerk were paid in proportion to profits, and received a salary in the ratio of profits, he was not a partner; but if he received a share of profits, he was liable as a partner. Again, a man might furnish the whole capital of a trading partnership, and take securities for repayment; and if he stipulated for 15 or 20 per cent of interest, instead of a moderate share of profits, he was not a partner. Did the hon. Member for Huntingdon (Mr. T. Baring) really think that the mercantile morality of the country depended upon the maintenance of such a state of the law? He thought that a Bill which got rid of these absurd and irrational distinctions would be of real service to the commercial community, and the requisite safeguards which were omitted might easily be supplied. It was requisite that persons dealing with these companies should know upon what principle they were based, and it was also necessary that those who furnished the capital should not be at liberty suddenly to withdraw it. But to get rid of the anomalies he had mentioned was not a task unworthy of this House, nor did the Government think it right to discourage private Members in the duty which they had taken upon themselves. It seemed to the Government, therefore, right to assent to the second reading of the Bill, while they hoped that it would be greatly improved in Committee, and while they by no means bound themselves to support its passing into law in its present shape.

MR. WHITESIDE thought his hon. and learned Friend who had just sat down, had rather offered an apology for the Bill than adduced sound arguments in favour of its principle. He should, he might add, like to know whether it was beneath the dignity of the Board of Trade to take so important a question as that with which the Bill proposed to deal under its consideration, and signalize the present humdrum Session by introducing with respect to it a measure worthy the serious attention of Parliament. As for the measure under discussion, he would appeal to his hon. and learned Friend the Solicitor General, to say whether he would put his name to it without having the slightest doubt as to the answer which he should receive. If, he should like to know, John Smith commenced trade, having borrowed £100,000 from the hon. Member for Birmingham, while he was to be paid by a share in the profits, how were the general public to become aware that John Smith had no capital? His hon. and learned Friend seemed to think everything in the Bill was a matter of detail, but he appeared to forget that the value of such a measure consisted in the way in which its details were worked out. If each Gentleman who had spoken had pointed out a radical defect in the Bill, it was in vain for the right hon. President of the Board of Trade to say that something could be made of it in Committee. That was not a rational and scientific mode of law-making. He hoped the good sense of the House would remit the matter to the Board of Trade, and that that Board would signalize itself for the Session by doing something useful.

Mr. JACKSON said, he should oppose the Bill, as it was in favour of the capitalist, and not in favour of the trader and man of industry. The tendency of the Bill was to uproot that principle which gave England its greatness—the credit which one man gave to another. He believed that credit would cease if the Bill were to pass into a law. Had it not been for the assistance given to him when a young man, he would never in all probability have become a Member of that House. It had, he might add, been his practice to bestow upon those in his employ a portion of his profits as an inducement to exertion, but he at the same time never supposed that he was thereby making them his partners.

Mr. SEELY said, he admitted that great capitalists might be injured by the operations of the Bill, but he thought it would tend to benefit the public at large. It would not injure the prospects of young men, as the hon. Gentleman who spoke last seemed to suppose. He should support the Bill.

Mr. Alderman SIDNEY said, he was at a loss to understand why the Bill had been introduced, as he believed it to be fraught with considerable danger and inconvenience; while the existing law did not, in his opinion, stand in need of amendment in the direction which it proposed.

Question put.

The House *divided:*—Ayes 56; Noes 39: Majority 17.

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Tomorrow.*

CORRUPT PRACTICES AT ELECTIONS BILL—[Bill 68.]—CONSIDERATION.

Bill, as amended, *considered.*

Mr. VANCE said, he objected to the clause which enacted that a person found guilty of bribery in a court of law should be declared incapable of being elected or sitting in Parliament for five years. He thought that the punishment would be ample if the person so convicted should be incapable of being elected during the then existing Parliament. He would therefore move to leave out Clause 11, and to insert the following:

Clause (Any person who shall be convicted of bribery at any Election shall be incapable of being elected or sitting in Parliament at any time during the then existing Parliament).

Clause *brought up,* and read 1°.

Motion made, and Question proposed, "That the said Clause be now read a second time."

Mr. WHITESIDE said, he objected to the clause as it stood, inasmuch as if a Committee of the House had decided in favour of a Member, yet, if a jury thought fit to give a verdict for a £10 penalty against him, his seat would be vacated, and he would be incapacitated from being elected for five years.

Sir GEORGE GREY said, the 17 & 18 *Vict.*, c. 102, already perpetually disqualified from voting all electors who might be proved guilty of bribery or undue influence, and the question was whether the same measure should not be meted out to candidates. Undoubtedly, under the clause, though a Member might be declared duly seated by an Election Committee, yet if subsequently he were proved guilty of bribery and treating, or undue influence, before a court of law, and a penalty were recovered against him, he would be obliged to vacate his seat.

Mr AYRTON said, that the true nature of the clause was a complete abandonment of the privileges of the House of Commons to reserve to itself the power of declaring the right to a seat in the House, and not to permit a court of justice to interfere in the matter. Would the House reverse all past legislation, and submit to the absolute judgment of any court which might happen to have jurisdiction, to determine whether a Member should continue to sit in the House. The higher court was to have its judgment reversed by the lower court, without knowing the ground upon which the reversal proceeded. Upon a judgment of bribery being placed upon the table of the House, a new writ was to issue without the House having power to ask a question, although the judgment might be the result of the most scandalous and most collusive action, and the proceedings in it most offensive to the honour and character of the House. Upon the part of his constituents he must protest against such legislation in an absurd fit of indignation, and would call on the House to maintain its own dignity.

Mr. WYKEHAM MARTIN said, that it was monstrous that the decision of a Committee of the House might be reversed by the most partisan and corrupt petty jury which could be collected for the purpose.

Mr. DARBY GRIFFITH said, that although there might be a bias in a jury, there was no great superiority in that respect in a Committee of the House of Commons. It was often said, that if they knew who was to constitute a Committee, they could tell what its decision would be. He should support the clause.

The SOLICITOR GENERAL said, that whatever course the House might think fit to take, the subject was one which required more consideration than it had received. It was important, in a constitutional point of view, that the House should retain in its own hands the power to decide on the validity of the qualification of its Members; and although the verdict of a jury in a case of felony disqualified the person against whom it was found, no one could imagine that there would be any tendency in the minds of the jury to be influenced by the contemplation of that event. But it was impossible to say, that if the verdict of a jury on a question of bribery would unseat a Member, it might not have influence on the jury so as to affect their judgment. Under these circumstances, he would suggest to his hon. Friend the Member for Hertfordshire to withdraw the clause.

Mr. PULLER said, he felt that after what had been said by the hon. and learned Solicitor General he ought to withdraw the clause, and therefore he should adopt that course.

Motion and Clause, by leave, *withdrawn.*

Amendments made.

Bill to be read 3° on *Thursday.*

MILITIA PAY BILL.

Bill to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers, *ordered* to be brought in by Mr. Massey, Sir George Lewis, and The Judge Advocate.

House adjourned at one o'clock.

HOUSE OF COMMONS,

Wednesday, March 25, 1863.

Minutes.]—Public Bills—*Resolution in Committee* — Wear Navigation and Sunderland Docks (Stamp Duties on Proxies).

Committee—Salmon Fisheries (Ireland) [Bill 1], *Debate* (*March* 4) *resumed*, and again *adjourned.*

Select Committee—Partnership Law Amendment [Bill 26].

Third Reading—Inclosure [Bill 58], and *passed.*

SALMON FISHERIES (IRELAND) BILL.

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [4th March], "That Mr. Speaker do now leave the Chair;" and which Amendment was, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Lord Fermoy,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. CONOLLY said, he acknowledged some legislation was still required on this subject, but he conceived that there was no ground for the sweeping measure proposed by the hon. and learned Member for Wexford (Mr. M'Mahon) and he trusted the House would refuse it its support. He conceived that the Act of 1842 was judicious and effective, and he believed that no case had been made out for repealing it—for that, in fact, was the object of the hon. and learned Member's Bill. The marrow of this measure lay in two clauses. The object of one of those clauses was to prohibit certain engines for taking fish, and among them were those going under the description of fixed engines. The prohibition of those fixed engines in all the tidal waters of Ireland would, in fact, amount to the confiscation of property yielding £100,000 a year, although the right to the engines producing that large revenue had been legally established by the Act of 1842. He certainly did not think that the House would at once, and without grave reason, accept a clause of such a sweeping nature. It appeared from official Returns, that under the Act of 1842, which the present Bill sought to repeal, the progress of the salmon fishery had been, from 1852 to 1862, one of gradual improvement, with the exception of the two years

1860 and 1861. The Report of the Commissioners for 1862 was not yet on the table of the House; but he was able to say, from his own knowledge, that the decline manifested in the two late years had now very much ceased, and a decided recovery had taken place. Still he was not prepared to deny that there had been an overcatch of salmon, and that some legislation was needed to check the abuse; but he did deny that there was any necessity for this measure. Indeed, it appeared from the Returns that the fishing on the part of the cotmen, who constituted the interest which the hon. and learned promoter of the Bill stood forward to defend, had increased in a greater ratio than that of any other interest. While admitting that legislation was desirable, he objected to the subject being dealt with by a private Member, for he thought it was one that should be taken up by the Government. The other clause, which he had before mentioned as forming an important part of the Bill, referred to chartered weirs or milldams. He had obtained information which showed that the rivers best stocked with salmon were those fished under ancient charters. He trusted, therefore, that the House would not sanction any interference with those rights. It was the duty of the Government to regulate and restrain over-fishing, but they ought not to countenance the sweeping confiscation of existing rights.

MR. DAWSON believed that it was desirable to legislate on this subject, but that the present Bill would be neither satisfactory in regard to public, nor just to private interests. He must protest against the confiscation of property on which large sums of money had been spent, and the overthrowing of arrangements on the faith of the durability of which leases had been granted. He held that compensation must form an essential element in any settlement of this question, and regretted that no provision was made for it in the Bill. In his opinion, however, the Government would alone be able to accomplish any effectual reform of the Irish fisheries; and the best way of meeting the case would be to issue a Royal Commission, which would take evidence on the spot, would inquire into the validity of private rights or *quasi*-rights, the interests involved, and the compensation which ought to be given in each case. The assertion that salmon were on the increase in Ireland, could only apply to the mouths of rivers. In the upper waters there was a lamentable deficiency of fish, and in some places the breed had become almost extinct. For instance, at Lough Neagh, which, with the exception of the Lake of Geneva and a Russian lake, was the largest sheet of fresh water in Europe, and was fed by thirty-six streams, it was only at the mouth of the Bann, and within three or four miles of the sea, that fish were caught. In the upper waters, on the other hand, the fish were found, *rari nantes in gurgite vasto*, and the sight of one was quite a novelty. The deleterious matter which was introduced by the flax manufacturers into the rivers had a very injurious effect on the salmon. A Royal Commission ought to be appointed to inquire into the various questions at issue in this matter; but, in the mean time, he should support the Amendment of the noble Lord the Member for Marylebone.

COLONEL WHITE said, he had a proposal to make on this subject, which he hoped would be accepted. He, for one, was sincerely anxious to improve the fisheries in Ireland; but so long as the question remained in the hands of the hon. and learned Member for Wexford, that object would not be accomplished, because the lower proprietors would never submit to be deprived of their property by a Bill introduced by a private Member, though in the hands of Government some chance of an ultimate agreement existed. What he would suggest was, that the debate should be adjourned, and that ten Gentlemen—five representing the lower and five the upper proprietors, with a member of the legal profession as assessor—should meet in the tea-room for the purpose of endeavouring to frame a Bill which should be satisfactory to all parties, and which the Government should be asked to introduce and pass into a law. He was persuaded, that if his suggestion were agreed to by the promoters of the present Bill, the lower proprietors would meet them in the fairest spirit, and would be ready to make great sacrifices in order to insure the passing of a well-considered measure. He would move the adjournment of the debate.

MR. BAGWELL seconded the Motion.

Motion made, and Question proposed, "That the debate be now adjourned."

MR. LONGFIELD said, he could hardly believe that the hon. and gallant Member was serious in the proposal he had made. The indifference of the Government, as manifested by the state of the Treasury benches, on a subject involving so largely the interests of Ireland, showed that nothing could be expected from them, and warranted any private Member in trying to legislate to the best of his ability. He maintained that the present Bill was called for, that it was just and necessary, that it did not interfere with private property in any way, and that there was no occasion to refer it to a Select Committee, or to have an inquiry by a Royal Commission. At one time the upper and lower proprietors had nearly the same rights, but the latter soon evinced a disposition to grasp at what did not belong to them; and about two centuries ago, an Act was passed to check their "greedy appetites and insatiable desires." Up to 1841, stake-weirs and bag-nets were clearly illegal; and a decision given in that year to that effect rendered some new legislation necessary for the stake-weir owners, and hence the Bill of 1842. Great praise had been bestowed upon the Select Committee to which that measure was referred, and of which the noble Lord the Member for Marylebone was a Member; but he contended that it entirely disregarded the rights of the public, attending exclusively to those of private individuals. The Members were guided solely, not indeed corruptly, but naturally, by their own interests, from which they never deviated in a single instance, and at once decided, without evidence of any kind, that the erection of stake-weirs was thenceforth to be allowed. No wonder that the effect of the Bill, when converted into an Act, was to give an unlimited latitude to the erection of stake-weirs and bag-nets everywhere. In 1851 a long correspondence took place between the Fishery Commissioners and the Board of Admiralty, complaints having been made against the former for not putting into operation the powers with which they were vested in respect to the erection of weirs. The result was, that an Inspector was sent down to examine the state of two estuaries, the Bride and Blackwater. The Inspector ultimately reported that those rivers were actually studded with weirs, all of which were illegal; and the Board of Admiralty was called upon to interfere. It appeared, however, that neither the Fishery Commissioners nor the Board of Admiralty would interfere in the matter, although it was proved that those weirs were wholly illegal, and had seriously impeded the navigation of the rivers in which they were erected; so that those two bodies, who were paid largely to watch over and protect the public interests in such matters, wholly ignored their duty on that occasion. The same was the case with the river Shannon. In that noble river a number of powerful individuals—such as the hon. and gallant Member for Kidderminster and Lord Monteagle, and many others—had for their own private purposes erected these illegal engines, to the general prejudice of the rights of the public, and to the great injury of the navigation. He had great respect, but no compassion, for the hon. and gallant Member for Kidderminster (Colonel White), who possessed what were called rights of property in some of these weirs. That gallant Gentleman, who was connected with the Treasury, as well as other Members of both Houses of Parliament who were owners of these nuisances, were admirably taken care of, but the interests of the public and the poor were sacrificed. The influence of these powerful individuals prevailed, while the duty of protecting the general community was bandied from one Department to another, and, of course, in the end wholly disregarded. The fact of the King's turnspit being a Member of Parliament had once prevented a reform in the Royal Household, and in that House they had now many turnspits, whose resistance to improvement was seriously felt on the present question. The supporters of this Bill had been recommended to intrust the matter to the Government; but when he looked to the empty Treasury bench, and saw not a single soul there, save the hon. and gallant Member for Kidderminster himself, he could hardly think that a very safe and impartial tribunal to which to appeal. The Select Committee of last year which examined this question included three ex-Secretaries of Ireland (Sir W. Somerville, Mr. Herbert, and Lord Naas) besides the present acting Chief Secretary, who was not now in his place. The stake-weir and bag-net proprietors were also well represented on that Committee, whose decision was arrived at after hearing witnesses of the highest experience on both sides, and after looking carefully into all the evidence and documents collected on the subject between the years 1842 and 1862. The present Chief Secretary was chosen a Member of the Committee in order that he might bring to the inquiry the weight, if not of his official experience, at least of his official position; but the right hon. Baronet had neglected to attend its sittings, and declined to avail himself of the means of information there afforded to him on the subject on which he now came forward to legislate. The hon. and gallant Member for Kidderminster followed him as his shadow, and the right hon. Baronet, knowing that his friend was in peril, rushed to his rescue. Hence those well-known clauses proposed by him as amendments, but which were a repetition of the Act of 1842. The Committee of 1862 came to the conclusion that it was fair and right to legislate as was proposed to be done by this Bill, abolishing all stake-weirs and bag-nets not sanctioned by Act of Parliament, or by express grant of the Crown, on the ground that they had become an absolute public nuisance which, if continued, threatened soon to extinguish the breed of salmon in the rivers of Ireland, as had been proved by experience in the case of England and Scotland. These obstructions had nothing like the legal rights of property, and ought to be swept away. The making of gaps in weirs for the sake of navigation, leaving full and free access to the upper waters of the rivers, had been found greatly to multiply the quantity of fish, and thus to benefit those who had mistakenly resisted it. The framers of this Bill wished to legislate for the interest not of any one class, but of the entire public; they had not sought to minister to the greed and avarice of the few, but to the real advantage of the commonwealth, and he earnestly hoped that the House would ratify their principles.

Mr. MACDONOGH said, that this subject, being one of deep importance to the interests of Ireland and the empire at large, ought to be discussed in a calm and judicial spirit, and not in a spirit of personality and prejudice. He therefore regretted the acerbity of tone which had marked the speech of the hon. Member for Mallow (Mr. Longfield) who seemed to be dissatisfied with every tribunal which had examined this question, save the Committee of 1862. The generality of his censure took from it its chief sting. For his own part, he did not look to the personal interests of the lower, the middle, or the upper proprietors, but to the improvement of the salmon fisheries of Ireland and the interests of the public at large; and having listened to the able statement of the noble Lord the Member for Marylebone (Lord Fermoy), he felt bound to vote for his proposal as to a Select Committee, thinking that inquiry should precede legislation. He had been astonished to hear it said that this Bill did not trench on private rights, because its fourth and fifth sections taken together enacted that there should be an open gap in every stone weir—a provision clearly invading the vested rights in weirs, founded on Royal charters granted from the earliest times. The Sovereigns of England had a right to make these grants, because those fisheries were vested in the Crown prior to Magna Charta. There being, then, clearly vested rights in these weirs, it became the House to approach the question with calm temper and judgment, such as would enable them to arrive at something like a just and fair compromise of the matter. There being, as he contended, vested rights in these weirs, it followed that any gaps created in them by subsequent legislation was a violation of those rights. The 5 & 6 *Vict.* prohibited the opening of any such gaps unless the proprietors had been compensated, and that was a just principle of legislation. Then as to the rights more recently acquired, he did not go the length of asserting that the 5 & 6 *Vict.* conferred rights of property as indefeasible as the titles given by the Incumbered Estates Court; but it conferred certain rights in weirs, stake-nets, and bag-nets under certain circumstances, and those rights, having been confirmed by subsequent statutes, had been bought and sold and made the subject of settlements. From the best sources of information he was enabled to state that there never was before a larger supply of salmon than existed at this moment in Ireland; and there was clear evidence that the export of salmon from Ireland had greatly increased since the passing of the Act 5 & 6 *Vict.*; but as most contradictory statements had been made, further inquiry was needed before adopting any fresh legislation. The Report of the Commissioners in 1852 recommended a consolidating statute to be brought in by the Government. No such statute had been passed, but he hoped even now that the right hon. Baronet the Secretary for Ireland would take up the subject, and deal with it, instead of allowing it to be dealt with by private Members. The advocates of the Bill had talked of statistics justifying such legislation; but the statistics had never been produced, and if such did exist they should be submitted to a

Select Committee who would fairly inquire into their accuracy. The hon. and learned Member for Mallow had thought fit to impugn the conduct of the Committee of 1842, which was a subject of regret, as the introduction of personalities into debate was very objectionable. But he did not believe that the distinguished men who formed that Committee had been influenced by selfish motives, and no ground for such a charge had been shown to exist. There was no doubt that the Committee which sat last year had acted according to what they conceived to be their duty, but the hon. and gallant Member for Clare (Colonel Vandeleur) had told the House that he wished to examine several important witnesses, but the Committee refused to adjourn for a single day to enable him to produce them. How could English Members be expected to decide upon a question respecting which such conflicting statements were made, without a preliminary inquiry before a Select Committee? He believed that the balance of testimony was in favour of the success of past legislation, but he did not desire to determine that point himself, and therefore urged the necessity of obtaining further information.

Mr. ESMONDE said, a noble Friend of his (Lord Stuart de Decies) had been spoken of as an innovator upon the river Blackwater, and he had been requested by that noble Lord to state that not a single weir upon the Blackwater was in his hands, and that of those in the hands of his tenants not one, he believed, could be regarded as an encroachment. With regard to the question before the House, he supported the Motion for adjourning the debate, not because he wished to cause delay, but because the lower proprietors desired to have inquiry before legislation, and they had not been heard before the Committee of last year. He thought, too, that this was a subject which the Government should undertake to deal with, as they had done in the case of the Scotch fisheries. He objected to the description of the Bill as being intended to assimilate the laws relating to salmon fisheries in England and Ireland, because in England rights that had existed from time immemorial had been respected. In the English Bill provision was made for compensating those rights which were interfered with or prejudiced in its operation; whereas by the present Bill, while existing rights were swept away, the question of compensation was altogether omitted. The Committee which sat last year had refused to examine some witnesses, and therefore he was of opinion that another investigation of this subject should take place.

Mr. GEORGE thought the measure of his hon. and learned Colleague was one of spoliation and destruction of existing rights guaranteed by Act of Parliament, without the slightest approach to compensation in favour of the injured parties. He deprecated the personal allusions made by the hon. Member for Mallow (Mr. Longfield) to men as high-minded and as honourable as himself, and as free from the suspicion of improper motives or personal considerations when adjudicating upon questions affecting the interests of their fellow countrymen. It was monstrous to say that those weirs were contrary to Act of Parliament. He insisted that they were fully warranted by Act of Parliament. If those weirs were illegal, he asked why they were allowed to exist from 1847 up to the present moment without any order or authority from the Irish Judges, before whom the question had repeatedly come, to abolish them. He could not help thinking that the representatives of the Government in Ireland were guilty of a grave dereliction of duty in allowing an important question like that before the House to be discussed without their intervention, or any attempt on their part to correct the confusion in which the House was placed upon this subject, a confusion arising from the discordant opinions that had been expressed as to the interests of the one party or the other involved in this matter. The subject was of sufficient magnitude and importance to be dealt with by the responsible advisers of the Crown, and he therefore trusted that Her Majesty's Government would take it up, and introduce a Bill which, while it would meet existing evils, would protect existing rights.

Lord FERMOY said, he rose to defend the course he had adopted as a Member of the Committee of 1842. The Members of that Committee had been attacked by the hon. and learned Member for Mallow (Mr. Longfield), who had attributed corrupt motives to them; but he thought that a mention of their names would be considered a sufficient refutation of the charge. It included the late Judge Jackson, the present Irish Chief Baron, the Recorder of Dublin, Mr. Conolly, Mr. O'Connell, Sir Robert Ferguson, and other Members from Ireland. The Bill was not hurried through Parliament. It was printed in 1841, and, after the country had had time to consider it, it was, in 1842, referred to a Select Committee. The first vote he (Lord Fermoy) gave in that Committee was directly opposed to his personal interest. Mr. Conolly and Mr. Jackson had introduced a Bill to abolish stake-nets and weirs, and in the Committee a compromise was arrived at, whereby those stake-nets and weirs were legalized, with limitations. The Bill itself was a compromise, and as such the Committee regarded it. None of the fishing interests asked to give evidence, such was the confidence entertained by all parties in the impartiality of the Members of the Committee, who had ample information before them. The Committee of last year had heard evidence; but their policy was not such as entitled them to the confidence of the country; for they had not heard the evidence on one side as fully as they had heard that on the other. Surely a Committee which had taken some evidence was entitled to more confidence than a Committee which had taken no evidence at all. This was a case for compromise. If the stake-weirs and bag-nets were illegal, why did not the Government put them down? The House was asked to prejudge the legal question, for the Bill before them declared those engines to be illegal. He did not believe that the effect of this Bill would be to increase the number of salmon or to benefit the upper proprietors. In his opinion, its effect would be to quadruple the property of the owners of certain lax-weirs in Ireland. He was in favour of a principle which would give every one a fair supply in the first instance; but when a good general supply had been obtained, he would then allow those persons who were entitled to fish for salmon to catch them in the best way they could for a certain time. Proper precautions should, of course, be taken for keeping up the breed. Enormous quantities of fish were destroyed by millers. Why was there no outcry against that by the promoters of the Bill now under consideration? On the upper waters every man's hand was against the salmon, and there was no one to protect them. The little that was done in the way of protection was under an Act of 1844. He hoped the question would be taken up by the Government; for by them only could the necessary compromise be effected. He believed salmon might be increased a hundredfold in Ireland within ten years. If the Government gave him a pledge that they would take the subject up, he should withdraw his Amendment for referring the Bill to a Select Committee.

MR. WHITESIDE said, the salmon was a very interesting fish, and the object of everybody was to increase the supply of that fish, not for the purpose of preserving, but for the purpose of consuming it; but it was very desirable that the discussion should now take a practical shape, and he thought, that if the Government would take up the question, they would be able to discover a solution of these difficulties. What would be the practical effect of this debate? He thought they ought to close it as soon as possible. The point about which they were all anxious was to get as much salmon as they could, and the first thing to be done was to prevent the premature destruction of the fish. Upon the small rivers it certainly appeared that the fish were decreasing by the engines now in use. It was true that a Parliamentary title must be respected; but public rights ought also to be considered, and in doing so, perhaps, the individuals who were now so busy in agitating this question might be themselves benefited by legislation. He suggested that during the Easter recess the Government should take the subject into consideration, and that the right hon. Baronet should employ his vacation in thinking upon a matter which was of so much importance to Ireland. If the right hon. Gentleman would bring forward a well-considered Bill, he might depend upon it receiving from that side of the House a calm and dispassionate consideration.

SIR HERVEY BRUCE agreed with those who wished that the right hon. Gentleman (Sir Robert Peel) should take the matter into consideration, and prevent, if he could, the unseemly spectacle of what might be called an Irish row upon a subject really of national importance. He maintained that it was in the shallow waters that the great damage to the salmon was done; and until the fish were properly preserved in the upper waters, the supply would not be so abundant as it ought to be. To do away with the sea fisheries would be to do a great public injury, and would be depriving of certain employment a large number of poor persons. The proprietors of these fisheries required no unfair advantage, but based their claims on the broad basis of law, justice, and equity.

COLONEL VANDELEUR said, that the object of the hon. and learned Member for

Wexford (Mr. M'Mahon) seemed to be to consider the advantage not of the poor people, but of the monopolists. The name of the public was often used when some bit of a job was to be done for somebody else. He (Colonel Vandeleur) was one of the proprietors of the Lower Shannon. He did not derive much advantage from it, but there were others who did, and he considered this Bill one of the most monstrous acts of spoliation ever attempted. He had often been astonished how an hon. and learned Gentleman, who himself had very little interest in Ireland, could volunteer to make an attempt amounting to little less than plunder. The proprietors whose rights were now attacked held under repeated Acts of Parliament, and they ought not to be exposed to these continued attacks upon interests as well established as any in the kingdom. This question of navigation had been very much strained by the supporters of the Bill. If the Admiralty interfered in Ireland, why should they not interfere in England and Scotland? He denied that the number of fish had fallen off; on the contrary, the statistics showed that they had increased. Of course, there were bad and good seasons. If there were a wet autumn, there was good fishing, and *vice versâ.* He hoped the House would not sanction any attack on the vested rights of proprietors.

Colonel DUNNE pointed out that the whole day had been wasted in a fruitless discussion, and expressed his opinion that they would never arrive at a useful result by continuing the debate. It would be better to accept the suggestion thrown out by the hon. and gallant Member for Kidderminster (Colonel White), to choose a Committee composed of gentlemen connected with both interests, and a few English Members who had no bias either way. There were great and conflicting interests at stake, and concessions would certainly have to be made on both sides. This was the only way of getting out of the difficulty, and he preferred it very much to appealing to the Government — for the Amendments put on the paper by the Irish Secretary had given general dissatisfaction, or for Irish Members making speeches for the purpose of wasting the time of the House.

Mr. MONSELL agreed with the hon. and gallant Colonel that there had been great waste of time in discussing the Bill, but did not believe that the method he had pointed out would lead to the settlement of the question. Without the assistance of the Government it was impossible that a Bill settling this question could be passed, and he appealed to the right hon. Baronet the Secretary for Ireland to take the matter up. If he would do so, he and many other Irish Members would give him all the support in their power. The interests at stake were so varied that only the Government could reconcile them; and unless they undertook the duty, there would be great risk of the Session passing by without a remedy being provided for the great and proved evils which existed. By proper legislation the supply of salmon in Ireland might be enormously increased, and it would be a source of great wealth to that country, and especially to the people employed in the fisheries.

Mr. HASSARD said, he joined in the wish of the hon. Member for Limerick, that the Government should take the matter of these fisheries into their own hands, or nothing would be done this Session—

And it being a quarter of an hour before Six of the clock, the Debate was *further adjourned* till *To-morrow.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Order for Committee read.

Mr. PEEL moved that the House go into Committee of Supply for the purpose of voting certain sums on account for the Civil Service.

Mr. AUGUSTUS SMITH objected to any Votes being taken when the Estimates had not been laid before the House.

Committee *deferred* till *To-morrow.*

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, March 26, 1863.

Minutes.]—Public Bills—*First Reading* — Inclosure (No. 58); Marine Mutiny; Augmentation of Benefices (No. 59).

Second Reading — Mutiny; Tobacco Duties (No. 56).

Committee—Post Office Savings Banks (No. 47).

Report—Births and Deaths Registration (Ireland) (No. 57).

GREAT EASTERN RAILWAY (NEW METROPOLITAN STATION AND BRANCHES) BILL.

SECOND READING. DEBATE RESUMED.

Adjourned Debate [March 12] on the Motion, That the said Bill be now read 2^a, and the Amendment thereto, "That the said Bill be read a Second Time on this day Six Months,"—(*The Earl of Shaftesbury*,)—resumed (according to Order).

THE EARL OF SHAFTESBURY said, the best speech he could make against this Bill would be to read section 17, page 6, of Colonel Yolland's Report on Metropolitan Railways. As their Lordships had doubtless read that Report, which recommended that all these schemes for railways through the metropolis should be postponed for further consideration, he would simply move that the Order of the Day for the second reading of this Bill be postponed. He had the authority of all their Lordships who had spoken on this subject, as well as of Colonel Yolland, to whom it had been specifically referred, in favour of the course he now proposed.

EARL GRANVILLE said, that Colonel Yolland was in favour of the postponement of the greater part of these schemes to another year. There was, however, a portion of the line to be authorized by this particular Bill—that portion which related to the North London line—which he believed might be proceeded with in the present Session. Before, however, their Lordships determined to postpone this Bill, it might be desirable to appoint a Select Committee of their Lordships to consider whether it was desirable that any of these Bills should be proceeded with, or whether all of them should be rejected for the present Session. The Committee might go further, and consider how the question of metropolitan railways should be dealt with in future.

EARL GREY said, he did not agree with the noble Earl (Earl Granville) that the subject could be effectually dealt with by a Select Committee. Colonel Yolland, in his Report, referred to the Report of the Royal Commission of 1846, which investigated the various projects for establishing railway termini in the metropolis. The Royal Commission stated, that if at any time it should be deemed advisable to admit railways into the metropolis within certain limits north of the Thames, it should be done in conformity with some uniform plan, and that under no circumstances should the thoroughfares of the metropolis be surrendered to separate schemes brought forward at different times and without reference to each other. He regretted that this recommendation had been so little attended to. Fortunately, however, the evil had not yet gone very far, and he thought there was still time, if their Lordships acted firmly, to arrest its further progress. The inconvenience and mischief of allowing the metropolis to be carved out by public companies, who were subject only to such a check as could be put upon them by a Select Committee of either House of Parliament at the time when those companies applied for Parliamentary powers, were such that he was sure, if they continued to pursue such a course, they would in the end arrive at an inconvenient result. In his opinion, there was no scheme whatever, however apparently unobjectionable it might be, which Parliament could safely consent to, until the Legislature had determined upon some general plan of railway communication within the metropolis; and if they sanctioned the lines at present asked for, it might happen that in future years, when they were called on to discuss some general scheme, they would find that they were prevented by these very works from adopting a general system. What they really wanted was, that a plan of railway communication throughout the metropolis should be duly considered by the Government, and a general scheme adopted, which should have no reference whatever to any scheme brought forward by existing railway companies merely for the sake of advancing their own interests. In his view such a scheme should be proposed by an impartial body, who would look at the whole subject. Was it possible that a Committee of their Lordships would satisfactorily deal with such a question? There could be no doubt whatever that the drawing up of a general scheme of railway communication was a work which required a large amount of scientific knowledge and experience; certainly an amount which none of their Lordships could pretend to possess. For his own part, he should feel utterly helpless in the matter, and should not venture to express an opinion as to what would be the best course to pursue. There was another question, and a serious one—that was, whether any railways within the metropolis should be the property of any private company at all? Probably the right course would be to declare that whatever railways were admitted into London should be the property of some public body, like the Metropolitan Board of Works. In that case the working of those railways might be let to some of the existing companies in the manner most convenient to the public. It would be extremely inconvenient, and even dangerous, to create private property in railways within the metropolis. He thought the Government ought to take the responsibility upon themselves, and propose to Parliament the creation of some Commission authorized to take evidence and hear all parties, and then recommend to Parliament a measure which might hereafter be adopted on the advice of Her Majesty's Government. That, in his opinion, would be the best course to take with reference to this extremely important question. He did not think that in the face of Colonel Yolland's Report they ought to consent to the passing of any one of the metropolitan railway schemes brought before them this Session; and with reference to the particular Bill which his noble Friend had moved should be read a second time this day six months, there were so many insurmountable objections to it that they could not be wrong in postponing it—leaving the question afterwards to be decided what other course should be ultimately adopted.

THE DUKE OF SOMERSET said, that the plan suggested by the noble Earl (Earl Grey) did not meet the present difficulty. A Royal Commission had already reported on this subject; and they had had Royal Commissions on similar subjects before; and they all knew how jealous Parliament had shown itself of these Commissions. As soon as a plan came before the Legislature, which was founded on the Report of a Commission, it was usually overruled by a Committee of that or the other House of Parliament. It was stated by Colonel Yolland that the recommendations of the former Commission had been set aside; and yet the noble Earl proposed another Commission, and declared, moreover, that the Government ought to take up the whole question of metropolitan railway communication, and settle it by the report of persons appointed by the Government, and probably presided over by some Member of the Government. Such a body would labour, on entering into the consideration of such an important subject, under far greater disadvantage than a

Committee of their Lordships' House. According to the noble Earl, the Government were not to make the railways; but the Government were to settle where the railways were to be made, and then the Government must make them. The meaning of that was, that the Government were to lay down a scheme for metropolitan railways, and then to come to Parliament for a grant of money to enable them to make these railways, or else to hand them over to the Metropolitan Board of Works to make them. Now, their Lordships knew something of the Board of Works. They were already engaged in a work of great magnitude—the construction of the main sewerage of the metropolis; and if they now attempted to carry out in addition a metropolitan system of railways, the public would have to wait a very long time before any of these metropolitan railways were brought into operation. If a Committee of their Lordships were to have the different companies before them, and to hear them with regard to the merits of their respective proposals, they would be able to point out to the House those which were decidedly objectionable, and those, on the other hand, to which they thought powers might be granted. It would do no good merely to throw out the various Bills this Session, because they would be re-introduced next year, when their Lordships would practically be in very much the same position. A Royal Commission could not settle the question. It was all very well for them to say "such and such lines ought to be made." The companies would very naturally say, "Then you must make them." The companies would only make those which accorded with their own interests. If a Royal Commission were appointed to determine upon the construction of various lines, it would be necessary for Parliament to go a step further and to find the money requisite for that purpose. He thought that the best plan would be to appoint a Committee and lay before them the plans proposed, letting them hear the evidence brought forward by the companies.

THE EARL OF DERBY said, that before saying anything with regard to the general question, he would call the attention of their Lordships to the fact that the question immediately under discussion was, what should be done with this particular Bill for the Extension of the Great Eastern Railway. It was five or six weeks since this Motion came first before the House, and he then took the liberty of stating to their Lordships the strong objections he entertained to the proposals contained in the Bill, which he thought sufficient to justify at that time its rejection. But then it was stated, not without reason, that their Lordships would only have an opportunity of hearing objections, and therefore it was only reasonable that time should be given for the companies to establish their case and refute his objections. For that purpose an adjournment was agreed upon, and a subsequent adjournment had since taken place; but during this whole five or six weeks, notwithstanding the question had been two or three times under discussion, not a single answer had been given to any of the arguments he then advanced. Not one of their Lordships had stood up to defend the line; and on the last occasion it was determined to lay the matter before the Board of Trade, for the purpose of its taking into consideration this line amongst others. Their Report was now before the House, and it virtually substantiated every one of the objections that he had urged. It stated distinctly that the main objection — independently of the grave objections that the line, in the greater part of its course, would run parallel to a line already sanctioned, and that it would occupy a very valuable open space in the City (an objection in itself almost sufficient to condemn the Bill)—was that in carrying out the plan proposed by the Bill they would absolutely put an insuperable obstacle to the construction of connecting lines of railway, by which the metropolis could be traversed from east to west and from north to south; and that inasmuch as there would be a difference in its level and that of the Metropolitan Railway of between thirty and forty feet, there would be an impossibility in adjusting the level of the various metropolitan lines. It was quite impossible that such a Bill could be sanctioned. Independently of any inquiry which might take place upon the general question, the discussions which had taken place in their Lordships' House, and the Report of the Board of Trade, put the Great Eastern line so completely out of court, that he should be surprised if the Motion for reading the Bill a second time that day six months were not adopted by their Lordships. The noble Duke who had just sat down (the Duke of Somerset) objected to the appointment of a Royal Commission to consider the general subject, because he said it could not decide the question; but between the former Royal Commission and any which might now be issued there was a substantial difference. The Commission of 1846 recommended that no lines should be allowed to approach within certain limits of the metropolis. That recommendation subsequent experience had shown to be one that it was not desirable to carry out; and that the relief of the streets and a variety of other considerations rendered it desirable, if it could be effected, that there should be a junction of all the railways, so as to establish a through traffic, without the necessity of changing carriages. The present Commission would not have to lay down any principle, the principle having been already established that it was expedient that a through communication should take place through the metropolis. It would start with the object of seeing whether all or any of the schemes now submitted, or any substitute for them, could achieve this great object, without entailing serious injury upon the metropolis. Functions such as these seemed to him peculiarly applicable to a Commission, and peculiarly inapplicable to a Parliamentary Committee. It would be quite impossible for their Lordships, with the information they were likely to obtain in the course of the present Session, to investigate the subject thoroughly, and to lay down general rules for the guidance of railways, as well as of their Lordships' House. Some of the Bills, moreover, it must not be forgotten, were not before them at all, but at that moment were in the other House of Parliament. The noble Duke contended, that if all the Bills were thrown out, and nothing done in the mean time, they would be introduced next Session, and their Lordships would find themselves in exactly the same position. Undoubtedly, such would be the case. But no human being proposed to adopt that course. The reasonable and sensible proposal of his noble Friend on the cross benches (Earl Grey) was to reject, for this Session, the lines proposing to traverse the metropolis—and the noble Duke had almost admitted that the great bulk of them must be rejected—and to establish a Committee of scientific men, who would sit during the Session, and during the Parliamentary recess, and would be enabled to lay before them at the next meeting of Parliament a general systematic scheme of railway communication for the metropolis. The noble Duke said, that if Parliament indicated the lines, it was bound to find the means of carrying them out, or at least to be responsible for their formation. He dissented from that position. It was not at all necessary, that because a Government Commission indicated the line of a certain railway, Parliament must provide the means for carrying it out. The noble Duke was familiar with the continental system, which seemed peculiarly applicable to the circumstances of the metropolis. That system consisted in pointing out the lines which ought to be made, and offering to the various companies interested in the district who were willing to undertake the service certain concessions for so doing; the works were then executed upon the sole responsibility of those engaging in the enterprise. If a general plan of railway intercommunication were sanctioned for the metropolis, he did not believe there would be any difficulty in inducing existing or other companies to carry out the proposals. He believed they would find railway proprietors only too ready and happy to assist in promoting the views of Parliament. For these reasons, he did not think the course recommended by his noble Friend (Earl Grey)—the appointment of a Committee of that House—a desirable one. With regard to the Bill promoted by the Great Eastern Railway Company, he had not the slightest hesitation in saying that it ought not to pass. The fundamental objections to it were so great that it would be a waste of time and money to refer it to a Select Committee. The wisest, and to the promoters the kindest plan would be without further trouble, delay, or expense to reject it for the present Session, allowing it, if its details were susceptible of the requisite modifications, to form part of the general plan hereafter.

Lord EBURY agreed with the noble Earl opposite that the Bill ought not to pass this Session, and that the kindest course to the promoters would be to reject it at once. In fact, there was scarcely one of the proposed measures which ought to be adopted this year. It would be of great advantage that there should be some supervision over the construction of railways in the metropolis. There were serious and conclusive objections to the appointment of a Commission, but he thought that some good might be done by a Committee of that House to inquire into the different Bills that were now before the House—not into each particular Bill, nor to consider all the lines which were mentioned in Colonel Yolland's Report. It would be for them merely to consider whether there were among them any lines that might be permitted to go on this Session, such as the Midland line for instance; and then next year for the whole subject to be again reported upon by the Board of Trade.

The Earl of MALMESBURY said, there was no Motion for a Committee and he thought it desirable that their Lordships should confine their attention to the subject before them. If the plan suggested by the noble Lord who had just sat down were carried out, the Committee would have to inquire into the merits of every Bill in the whole group.

Earl GRANVILLE congratulated their Lordships upon the valuable Report which they had obtained from the Board of Trade upon this subject. He should have been glad to have heard arguments in support of this Bill; but as none had been adduced, he should be prepared to support the Amendment. It would, in his opinion, be desirable to appoint a Committee to consider in what manner all these metropolitan lines should be carried out. Committees of the Houses of Parliament had great power over private Bills, and it was impossible that any public Department should undertake the superintendence of the construction of these railways. A great deal would depend upon the goodwill of the different companies running into the metropolis; and, upon the whole, he was disposed to think that the matter could be better dealt with by a Committee than in any other way. All the metropolitan railway Bills were now before their Lordships' House, and the course which he proposed to take with reference to them was this:—He should not oppose the rejection of this Bill, and unless strong reason was shown to the contrary, he should, immediately after the recess, move the appointment of a Committee to consider the whole question as to how these metropolitan railways should be dealt with.

The Marquess of CLANRICARDE said, that in many instances the Reports of Commissions and Committees had produced no results.

Lord CHELMSFORD wanted to know whether the noble Earl proposed that all the Bills mentioned in Colonel Yolland's Report should be subject to the scrutiny of a Select Committee—because it appeared to him that in that way injustice might be done to some of the measures which it was desirable should be passed this Session.

On Question, that ("now") stand part of the Motion, *Resolved* in the *Negative;* and Bill to be read 2ª on *this Day Six Months.*

BIRTHS AND DEATHS REGISTRATION (IRELAND) BILL—(No. 57.)—REPORT.

Amendments *reported* (according to Order).

On Motion that the Report be *agreed to,*

Clause 30 (Registrar to learn and register Births and Deaths).

THE EARL OF BANDON proposed an Amendment—

> "Provided always that all Births and Deaths which shall happen within the Workhouse shall be registered by the Superintendent Registrar."

THE EARL OF ST. GERMANS said, the matter had been fully discussed in the House of Commons, and he hoped that the Amendment would not be pressed now.

After a few words from The Earl of LEITRIM,

THE EARL OF BANDON appealed to the Government to postpone the Report, in order that he might have the opportunity of submitting his Amendment to the House at a time when it could be fully discussed.

THE EARL OF DERBY said, that the discussion seemed to take the House somewhat by surprise; and he therefore suggested that the proposed Amendment should be moved on the third reading.

THE EARL OF BANDON said, he would adopt the suggestion.

Motion (by leave of the House) *withdrawn.*

Report *agreed to;* and Bill to be read 3ª *To-morrow.*

POST OFFICE SAVINGS BANKS BILL. (NO. 47.) COMMITTEE.

House in Committee (according to Order).

LORD STANLEY OF ALDERLEY said, that on the occasion of the second reading his noble Friend (Lord Redesdale) had objected that the interests of minors were not sufficiently protected under the present Bill. He (Lord Stanley) found that the provisions in the Bill and those in the old Savings Banks Act, in respect of the transfer of the deposits of minors were precisely the same.

LORD REDESDALE desired to draw the attention of their Lordships to these provisions. At present, the managers of the old savings banks exercised a discretion as to the employment of the money of minors; but under this Bill, on the application in writing of the parent or guardian, if the minor was under seven years of age, or of that of the minor himself if above that age, the deposit of such minor at a savings bank might be transferred to a Post Office savings bank; and the money might be withdrawn at the same age at which the minor might have withdrawn it at the old savings bank. Every one knew that a child of seven years could not exercise any sound judgment, and the parents or guardians in many instances were not proper persons to be intrusted with the money. The trustees and managers of the present savings banks generally knew who the depositors were, and ought to be able to exercise their discretion whether it was safe or right to allow the minor's money to be transferred. What he wished to propose was, that the transfer of money invested for the benefit of minors should be limited to those cases where the bank was about to be wound up, or where the trustees or managers saw reason to agree to the transfer. He wished also for some explanations with regard to the fourth clause, by which it was proposed that money invested in a 3 per cent stock should be converted into a 2½ per cent stock, the difference being converted into an annuity of the class which would terminate in twenty-two years. He regarded this clause as a confession that the expense of the Post Office savings banks had exceeded the estimate of their founders, and that they wanted a larger income to carry on the business. He pointed out that the part which would be converted into annuities would not be converted into fixed annuities for a certain number of years, but into annuities which became shorter and shorter every year, and therefore every year of less value.

LORD STANLEY OF ALDERLEY said, that the whole object of the conversion clause was to give the Chancellor of the Exchequer the means of investing the monies of the Post Office savings banks to advantage, and that it would not affect the security of the depositors. With regard to the proposal of the noble Lord, in reference to the deposit of minors, it appeared to him that managers would be anxious to retain the money in their own banks, while the Post Office savings banks must afford better security to the depositors.

Amendments made; the Report thereof to be received *To-morrow.*

CHURCH PATRONAGE OF THE LORD CHANCELLOR.

AUGMENTATION OF BENEFICES BILL.

BILL PRESENTED. FIRST READING.

THE LORD CHANCELLOR, who had given Notice "to call the attention of the House to the Ecclesiastical Patronage vested in The Lord Chancellor, and to present a Bill on the subject," said: My Lords, I rise with some anxiety to call your Lordships' attention to a subject which is certainly one of importance, and which has been to me, for a long time, a matter of much care and consideration. Your Lordships are aware that great ecclesiastical patronage is vested in the Lord Chancellor. The antiquity of that right in the Lord Chancellor, as the Keeper of the Great Seal, makes it difficult to ascertain its origin. As early as the rolls of Parliament of Edward III. the right of the Lord Chancellor to present to all the Crown livings rated at twenty marks and under is acknowledged as being incontestably vested in that officer. Subsequently—probably about the time of Henry VIII., when the denomination of the coinage was changed—£20 was substituted for twenty marks; and by the courts of law, and on various other occasions, the right of the Lord Chancellor to control and dispense the patronage of all the Crown livings not exceeding £20 has been acknowledged to be uncontested. I make these few observations at the outset, because it is important to show that I am not going to take away any part of the property of the Crown; for if the language were courteous —which it would not be—the Crown might properly be described, in respect to these livings, as the trustee of the Lord Chancellor. With regard to the Crown livings, which by constitutional usage belong to the Premier for the time being, the Premier, when he presents, takes the pleasure of the Crown; but when the Lord Chancellor presents, he presents, as a right, without taking the pleasure of the Crown. The writ is couched in words carefully selected for the purpose of acknowledging that right, for it contains these words:—"Which presentation doth to the Lord Chancellor as of right fully belong." Such is the origin and nature of the Lord Chancellor's right of presentation to certain Crown livings. These livings are numerous, but the greater part of them are small and insignificant in value, and many of them lie in unfavourable districts. Being small and so situated, they have had the fate which constantly attends patronage of that description. There being no resident proprietor interested in the living, they have been greatly neglected; they present a most unfavourable contrast with other livings equally small in value, and they show by their condition—frequently in respect of the church, oftener of the parsonage, and also by the want of schools—the absence of any person interested in the welfare of the advowson. Moved, therefore, by these and other considerations, I have selected out of the number of the Lord Chancellor's livings 320 of the smallest; and the object of the measure which I seek to introduce is to give me power to sell the advowsons of these livings on certain definite terms stated, and to apply the proceeds of that sale to the augmentation of their value. Then, instead of those 320 livings being held in the barren hand of the Lord Chancellor, they will be vested, I trust, in 320 landed proprietors, each one of whom, living on the spot, will take an interest in the maintenance and welfare of the Established Church. What I particularly desire to do is to bring back the present state of things to that which originally existed—because advowsons originally came into being from great landed proprietors building and endowing churches; and then, by the sanction of the spiritual authority, he who had created and endowed was thought best entitled to have the presentation to the living. This is in accordance with the great constitutional principle that the Church should be united, as it were, with the landed property of the country. Your Lordships must be familiar with the contrast between a parish which has no resident landed proprietor and a parish which has a proprietor resident, who, having a right to nominate, takes a pride in the maintenance of the parish church, in its ornamentation, in the maintenance of the parsonage, and in the building and endowing of schools. There is just as much difference in the condition of such parishes as there is between an estate where the proprietor is resident and an estate where he is always an absentee. Those circumstances have led me to believe that the time has come when some measure of this kind should be initiated, and I have every confidence that such a measure will lead to an augmentation of the welfare of the Established Church. All men who have paid attention to the state of the universities, and observed plainly what is going on there, have been impressed with the conviction that the Church as a profession, in point of worldly advantage, does not offer adequate inducements for young men to enter it. I have long been of that opinion. I have been very anxious on the subject, particularly when I looked into history and observed the changes effected at the Reformation and the manner in which some of them have failed. The Roman Catholic Church had the advantage of a large number of cathedral, conventual, and monastic establishments. In these it gathered round it a large number of boys of all denominations and descriptions, who assisted in the services of the establishment and the Church; and from the most promising of these, after being carefully trained, the clergy were selected for the service of the Church. Our great reformer, Edward VI., observing this, endeavoured to provide for it by the establishment of grammar schools throughout the country. These grammar schools were almost always connected with some collegiate establishment in the universities; and the desire was that the grammar school should be a sort of seminary for the college, and that boys should be carefully trained there to be sent to college afterwards, and there be trained for the Church. Unfortunately, from the insufficiency of the endowments, and the inefficiency of the means employed, that plan has in a great measure failed; and hence it is, that unless we increase the number and value of its endowments, the Church at the present time, in the matter of worldly inducements, is in a state of entire inferiority when contrasted with other professions. It is in the case of 320 of these livings only that I have ventured to propose any change. I am perfectly well aware—and I desire particularly to attract attention to it—that, however promising this scheme may seem when stated in the abstract, the real practical utility of it depends entirely on the wisdom and prudence shown in the due selection of the details for carrying it into effect. If your Lordships will bear with me a few moments, I will endeavour to explain the nature of the scheme which I have embodied in this Bill, rather as a matter of consideration than with any kind of notion that what I have here written down is to be the plan which in all things is to be carried into effect. If your Lordships approve the principle of the Bill, I shall entreat you to grant me that mode of proceeding in which, from my experience, I have the greatest confidence—a Select Committee of this House, to which I am sure all parties will be desirous to send Members who will treat this subject without the smallest political bias. In that Select Committee I shall submit the details of my Bill to your wisdom for discussion and consideration, trusting that your Lordships will find the best practical means for giving full effect to the measure. I shall now explain to your Lordships how I propose to fix the standard of value of advowsons. This is an extremely difficult part of the measure, and requires the greatest consideration. It is extremely difficult to lay down, with any amount of certainty, what is the standard market value of the thing that is sold. I am sure your Lordships will have found, from your own experience, that nothing is more unsound than the estimate of surveyors. If you employ two surveyors, the great probability is that you will have a very different estimate from each. In fixing the standard, I have taken the most approved table of value of advowsons, and from the amounts given in these tables I have deducted one-fourth, to allow for the practical difference which almost always exists between theoretical value and market price. By that deduction I arrive at something like an accurate expression of the market value; and I have then ventured to double that value, for the reason which I shall explain to the House. Your Lordships will be aware that the principle of my measure is, that the purchaser has nothing to pay to the party who sells. The purchase money is expended on the improvement of the subject of the purchase. But, further, I do not propose that he shall expend the whole of the purchase money instanter. I propose that he shall pay one-half instanter, either in a solid sum or by way of annuity. Let me suppose for a moment that the advowson is worth £100 a year, and that the incumbent is fifty years of age; according to the tables, taking the value of money at 6 per cent, the advowson would be worth 6 years' purchase. I have deducted one-fourth, and taken the money at 4 per cent, in order to estimate the allowance which should be made for the remuneration of the services of the incumbent; for when a man buys a living, he buys that for which he is to do duty. Therefore, in calculating the price which he should give for it, he must make a deduction for the value of his services. I allow for that deduction. I take the value of money at 4 per cent, and double what remains after the deduction of one-fourth from the theoretical value. Take a living of the value of £100 a year. At ten years' purchase the value of the purchase is £1,000. If the purchaser proposes to pay this in money, I propose that he shall begin by paying £500—one-half. With regard to the other £500, the purchaser is to give security for payment, when the living shall become vacant, of such a sum as shall be equal to the amount which the £500 would produce, if it were duly accumulated with compound interest at 4 per cent, between the time appointed for the completion of the purchase and the next avoidance of the living. Your Lordships will thus see, that though the purchaser pays his money, he parts with it to be laid out on the subject he has bought. I have ascertained that the propositions in my Bill would not be deemed unreasonable by the Ecclesiastical Commissioners. I do not mean to represent that those Commissioners assent to the principle of my Bill. All I mean to say is, that what I have put in it with reference to the value of these advowsons is not so unreasonable as not to be likely to be entertained by them. Your Lordships are aware, that if any proprietor advance a sum not exceeding £1,000 for the augmentation of the value of a living, the Ecclesiastical Commissioners have a rule by which they may grant an equal amount for the same object. I propose, that when the Lord Chancellor sells an advowson, he shall, to the extent of a limited number of livings in the year, hand to the Ecclesiastical Commissioners a portion of the purchase money. In the case of an advowson sold for £1,000, the moiety of £500 would be handed to them, and they would be required to add to that a sum of £500, making £1,000, which would create an annuity of 3½ per cent, charged on their common stock. The £500, the first moiety, would in this way produce an instant annuity of £35, which would go to the present augmentation of the living of £100 a year. When the living becomes vacant, the remaining £500, with the accumulated interest, may be applied in a similar manner, or may be applied to the purpose of tithe rent charges, debentures, or Government securities, the income to be applied to the augmentation of the income of the living. In this way I estimate that those small livings may ultimately be augmented to the amount of, in some cases, two-thirds, and in others one-half of their original value. I offer the purchaser another advantage — that instead of paying the first moiety of the purchase money at once he may grant a rent-charge of 5 per cent, to be secured upon freehold or copyhold property; and as to the other moiety which would be paid upon the next avoidance of the living, such a rent-charge as shall be equal to 5 per cent upon the principal sum with its accumulations at 4 per cent. The whole principle of the measure is, that the purchaser, either in the shape of money or an annuity, is to pay one-half the consideration of the advowson instanter; the other one-half, with compound interest, not to be paid till he comes into the actual possession and exercise of his advowson. Your Lordships will see that my object is to give an immediate benefit, but a greater augmentation to the living when the advowson comes into the enjoyment of the purchaser. I cannot imagine a more beneficial manner of dealing with an advowson. I will give an instance. A gentleman has an estate in the country, but the advowson of the living does not belong to him; it belongs to the Lord Chancellor. It may be matter of importance to this gentleman to have the control of the presentation in his own hands; and he might be glad to give a sum of money to have that right. Under the present Bill the owner of the land would be enabled to become the purchaser of the advowson. I have inserted a proviso in the Bill to prevent a purchaser of one of these advowsons from being at liberty to sell it until at least after a period of five years from the time of purchase. It would be no satisfaction to me to strip the Lord Chancellor of this patronage if it were to fall into the hands of societies or bodies of persons formed for the purpose of inculcating and promoting particular opinions, and getting subscribers to become purchasers of the advowsons with a view to effect particular purposes. I have therefore put in a proviso that no person or body of persons shall purchase or cause to be purchased more than four of these advowsons. I trust and hope that these advowsons will get for the most part into the hands of landed proprietors, who will become desirous not only of being owners of them, but also of discharging their duty to the

Church, by taking a particular interest in the welfare of the parish and of religion. There are many other provisions in the Bill which I hope will be thought good by your Lordships, but with the details of which I will not weary you at present. I have just indicated the details of the Bill; they may be very different from the details which shall be ultimately arrived at in Committee, but I believe your Lordships will find them so far well-considered and accurate as to serve to show that this great principle of converting these advowsons into a source of strength to the Established Church is a practical one, and I hope and trust that this measure may leave your Lordships' House in a shape well adapted to fulfil the expectations which may justly be entertained of it.

LORD CRANWORTH congratulated his noble and learned Friend upon the part which he had taken in framing so able and important a scheme. As for the details of the plan, of course it could not be expected that any noble Lord would express an opinion until time was given for further consideration. Having had the honour of holding the Great Seal, he felt bound to say that he thought the measure would be not only beneficial to the public, but extremely useful to whoever might, for the time being, be in the position of Lord Chancellor. These advowsons were now generally scrambled for, and experience showed that those who obtained them were not the fittest persons to hold them. He thought, however, his noble and learned Friend had greatly over-estimated the probable value of these small advowsons. For instance, a living of the nominal value of £100 would probably not be worth more than £40, as £60, or thereabouts, would have to be deducted for the services of a curate to administer the living.

LORD CHELMSFORD said, he felt great satisfaction that the noble and learned Lord had turned his attention to this most important and interesting subject. This was not the time to enter into details, which he hoped would be carefully considered by the Select Committee to which it was proposed to refer the Bill, and which he hoped would include some Members of the right rev. Bench. The principle of the Bill, however, had his entire and cordial concurrence. Nothing could be more embarrassing to a person holding the Great Seal than the proper mode of presenting to those small livings; for no matter how zealous a man might be, if he had not independent means, it was no kindness to give him the presentation. No matter how poor a clergyman was, an idea always prevailed among the destitute of a parish that he must have sufficient means to assist them in their difficulties, and that he failed in his duty if he did not assist them. This Bill would, he trusted, be of the highest possible advantage, as it would transfer a patronage, which was most irksome, perplexing, and painful from the Lord Chancellor, to persons who must have an interest in the parishes to which it referred, and who would be able to do what was certainly not in the power of the present official patron with regard to schools, churches, and other matters.

THE BISHOP OF LONDON said, he begged to state on the part of his right rev. Brethren, that they felt deeply grateful to the noble and learned Lord for having taken this matter in hand. The details of so important a subject must, of course, be reserved for the Select Committee, or for some future occasion in their Lordships' House. No person, who had sat on the Ecclesiastical Commission, could be ignorant of the fact that there were very many livings which did not deserve the name of livings —the labourers in these unremunerative parishes would now have a chance of being repaid for their toils. He would suggest, as the matter was one of great importance, that as little time as possible after Easter should be lost in proceeding with the measure and settling the details.

THE DUKE OF MARLBOROUGH said, that having some time since had the honour of proposing in the House of Commons a measure somewhat analogous to that of the noble and learned Lord, he could not but express his gratification that a Bill of this kind should have been introduced. The great object was to bring up the smaller livings to a higher amount. He would therefore suggest that the Lord Chancellor should sanction the sale of some of the larger and more valuable livings, and add the value to the smaller livings.

THE LORD CHANCELLOR said, he was much gratified by the kind expressions of concurrence from the noble Lords, and his right rev. Friends who had spoken on his proposition. He had, in his original statement, made an omission which he should be glad to supply. The greater number of the livings contained in the schedule—about three fourths—were under £200 a year. A small number ran up to £250 a year; and there was a provision in the Bill that those now under £200 should be augmented to £300 a year, and that any surplus should be carried over for the augmentation of smaller livings. That arrangement was subject, however, to a proviso. Power was taken for applying a portion of the surplus to the building and repairing of parsonage houses, provided the purchaser was ready to add a proportionate sum of money to the fund for that purpose. The very thing desired by the noble Duke was therefore, as far as possible, endeavoured to be attained by the Bill. His Grace the Archbishop of Canterbury was unable to be present in his place that night, but had wished to express his entire concurrence in the general objects of the Bill. He should ask their Lordships to read the Bill a second time to-morrow, in the hope that it might be referred to a Select Committee immediately after Easter. By so doing he trusted it might be sent down to the other House of Parliament in good time, so as to escape being lost in the "ruck" of Bills which usually took place towards the end of the Session.

Bill for the Augmentation of certain Benefices the Right of Presentation to which is vested in The Lord Chancellor—Was *presented* by The LORD CHANCELLOR; read 1ª; to be *printed;* and to be read 2ª *To-morrow.* (No. 59.)

LOAN FUND BOARD (IRELAND).

ADDRESS FOR A COMMISSION.

THE EARL OF LEITRIM *moved*—

"That an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Royal Commission to inquire into the Propriety of the Loan Fund Board having ordered that the Cloone Loan Fund should be closed and the Funds confiscated, and to inquire into the State of those Funds, the Manner in which they have been employed, and how far the same can be appropriated to the Benefit of the Poor of that Locality."

EARL GRANVILLE considered it absolutely necessary that a *primâ facie* case should be established against the Loan Commissioners before an inquiry was ordered into their conduct. There did not appear to be a shadow of ground for the accusations which had been levelled against them. The power of appeal existing, in case of the dissolution by them of any local loan fund, had not been exercised in the case of Cloone, to which the noble Earl referred. The dissolution complained of undoubtedly took place at a period of distress; but the inhabitants of the district did not suffer inconvenience, for a committee, consisting of the magistrates resident upon the spot, aided by the Protestant and Roman Catholic clergymen, had been intrusted with the administration of the funds. What was the action of the noble Earl? He was informed that having been written to by one of the clergymen, the noble Earl, in return, expressed a desire that the writer would never communicate with him on any subject whatever.

THE EARL OF LEITRIM: That is not correct.

EARL GRANVILLE could only state what he had been informed. The funds administered by the committee amounted to £1,200; and he was assured that the noble Earl actually advised some of his tenants not to repay the advances made to them.

THE EARL OF LEITRIM: That is not correct.

EARL GRANVILLE hoped the noble Earl would be good enough to express himself in Parliamentary language. From everybody, except the noble Earl, he had received the facts as he had just stated them to the House. He must say, that he had never heard a more idle accusation against a body so respectable as the Loan Fund Commissioners.

THE EARL OF LEITRIM did not deny that the Loan Commissioners were very respectable in name; but the members of that Commission rarely attended to their duties. The Board was a mere farce, the whole business being in the hands of one gentleman. As regarded the correspondence to which reference had been made, the fact was, that having applied for information at the outset, he received a letter stating that his interference was not required. Subsequently, when all the funds had been expended, one of the clergymen wrote to him, asking for additional contributions, which were to be expended in the very manner of which he had all along expressed disapproval. Not unnaturally he returned a refusal. Conceiving that there had been an improper use of public money, when applied to for advice by several of his neighbours, he advised them to resist payment of sums with which they were improperly charged. But he never recommended any man to withhold money that was legitimately due.

On Question, *Resolved* in the *Negative.*

INCLOSURE BILL.

Bill read 1ª, and to be *printed.* (No. 58).

MARINE MUTINY BILL.

Bill read 1ª, and to be read 2ª *To-morrow:* (*The Duke of Somerset.*)

House adjourned at a quarter before Eight o'clock, till To-morrow, half past Three o'clock.

HOUSE OF COMMONS,

Thursday, March 26, 1863.

Minutes.]—New Member Sworn—The Marquess of Hartington, for Lancaster County (Northern Division).

Supply—Civil Service Estimates—*considered* in Committee.

Report—on Public Petitions, *Thirteenth Report.*

Public Bills—*First Reading*—Stock Certificates to Bearer [Bill 76].

Second Reading—Office of Secretary at War Abolition [Bill 72]; Oaths Relief in Criminal Proceedings (Scotland) [Bill 74]; Local Government Act (1858) Amendment [Bill 69].

Committee—Telegraphs [Bill 57]; Salmon Fisheries (Ireland) [Bill 1], Debate (March 4) *resumed*—Bill *considered, r. p.*

Report—Telegraphs [Bill 75].

Third Reading—Corrupt Practices at Elections [Bill 68]; and *passed.*

FOREIGN AND COLONIAL POSTAGE.

QUESTION.

Mr. CAVE said, he wished to ask the Secretary to the Treasury, Whether it is intended to abandon the principle of an uniform rate of Postage to British Possessions Abroad, by doubling the charge upon letters to the British West India Colonies, while reducing that upon letters conveyed by the same line of packets to Foreign countries, even at a greater distance; and, if so, for what reason?

Mr. PEEL said, in reply, that the principle of uniformity of postage had already been abandoned in the case of the postage of letters to Hong Kong and Singapore, which had been raised two years ago from 6*d.* to 1*s.* The present step had been taken because it was found that the smaller sum was insufficient to pay the expenses incurred, and because it was believed that the increase would not materially interfere with the correspondence between those countries. At the same time, letters sent by private ship were charged at the reduced rate of 3*d.* and 4*d.*; so that there were two modes—one for those to whom time, and the other for those to whom economy was an object. Letters for Mexico and Cuba, which were formerly charged 1*s.* 6*d.* and 2*s.* 6*d.*, were now reduced to 1*s.*, because the former rates were undoubtedly too high, and because it was an advantage to assimilate them with the rates to our own colonies.

Sir STAFFORD NORTHCOTE said, he wished to ask whether it was proposed that instead of granting a subsidy to the West India Mails, the Steam Packet Company were to receive any proportion of the postage on the letters as compensation for conveying them? He wished further to know whether the contract with that Company had come to an end?

Mr. PEEL said, the contract would continue until next year, and a subsidy would still be paid for the conveyance of the mails. Tenders had been advertised for, and they were now under consideration.

Mr. CAVE said, he wished to know whether the Governments of Cuba or Mexico were to pay any portion of the subsidy for the conveyance of their mails.

Mr. PEEL replied in the negative.

FEDERAL RECRUITING IN IRELAND.

QUESTION.

Lord HENRY THYNNE said, he rose to ask the Chief Secretary for Ireland, Whether his attention has been called to a statement that the Federal Government of America are recruiting largely in Ireland; whether that statement is true; and, if so, whether Her Majesty's Government propose to take any steps to prevent such recruiting?

Sir ROBERT PEEL said, in reply, that no reports had recently been received respecting the enlistment of recruits in Ireland for the Federal army. Indeed, although there had been rumours on the subject, there had been at no time any definite statements.

RAMSGATE HARBOUR.—QUESTION.

Sir EDWARD DERING said, he would beg to ask the President of the Board of Trade, When the Accounts for Ramsgate Harbour for the year 1862 will be presented to Parliament; and whether any, and if any what steps have been taken by the Government with a view to the revision of the Tariff of Dues now levied for Ramsgate Harbour.

Mr. MILNER GIBSON said, the accounts for 1862 were ready, and would be almost immediately laid on the table. No attempt had been made to revise the tariff, as there had not yet been sufficient experience with regard to its working.

POLITICAL DEMONSTRATIONS IN IRELAND.—QUESTIONS.

Mr. WHALLEY said, he regretted to find that a Question, of which he had given notice, was so worded as to give offence to certain persons. He wished to omit any words from that Question which were calculated to give offence. [Mr. Scully: Hear, hear!] He would therefore omit the word "disloyal" from his Question, and simply ask the Chief Secretary for Ireland, Whether he has received any information on the subject of the "demonstrations at Dublin, Cork, and other places on the 10th instant;" and whether it is true that "at many of which, as Kilrush and Bellina, an effigy of the Prince of Wales was publicly burned; and whether any investigation is intended as to the nature and extent of the organization manifest in these proceedings"?

Mr. SCULLY: Mr. Speaker, I rise to order. In consequence of my notice to the hon. Member for Peterborough he has altered the wording of his Question. Since you, Sir, have occupied the chair of the House, you have laid down a rule that no discussion shall arise upon the putting or answering of a Question, and that no Question shall be so framed as to convey an offensive assertion which cannot be contradicted in this House. Now, the Question of the hon. Member for Peterborough contains no less than five or six offensive assertions which there are no means in this House of contradicting. The Question, however, has been somewhat modified from the notice on the paper, no doubt in consequence of an arrangement come to between the hon. Member for Peterborough and his excellent Friend the right hon. Gentleman the Secretary for Ireland. [*Cries of* Order, order!] I am perfectly in order. I have myself risen to order, and having risen to order, I am not to be confined to mere limits. Here, upon the face of this paper, has been put forward by the hon. Member a statement most offensive to the Irish people. The hon. Member has, however, withdrawn the word "disloyal," which he had intended to fling broadcast against the Irish people. But although he has withdrawn that expression before he ventured to put his Question publicly, it remains upon the books of the House in its original and insulting form. The hon. Member has no right to use the notice paper as a means of advertising his unfounded assertions. He speaks of "Bellina" as a place in Ireland. I suppose he was thinking of Bellona. But whether he means Bellina or Bellona, or some other Roman name, I have never heard of any such place in Ireland. So much for the hon. Member's knowledge of that country. Then it is alleged that the Prince of Wales has been burnt in effigy, but that is a circumstance of which I was totally unaware until I read it on the paper of the House. Nor am I aware of anything like an organization of the kind alluded to by the hon. Member. I might as well talk of an organization amongst the starving people of Staleybridge as manifesting a disloyal spirit. I now ask you, Sir, whether such language should be allowed, and I shall, of course, bow to your decision.

Mr. SPEAKER: Will the hon. Gentleman point out what he considers to be out of order in the question of the hon. Member for Peterborough?

Mr SCULLY: I do not think the paper of the House ought to be made use of for the purpose of charging the inhabitants of certain towns in Ireland with disloyal manifestations, and with the burning of the effigy of the Prince of Wales, particularly when there is no truth whatever in the assertion.

Mr. SPEAKER: The rule of the House is that in putting a Question no argument or opinion is to be offered and no new fact stated, except as far as they may be necessary to explain such Question. The good sense of that regulation must be evident to the House. No matter ought to be propounded as a Question in a form to raise discussion. In the present instance it is quite allowable for the hon. Member to state the facts which are necessary to elucidate his Question. Whether or not the assertions he has made are well founded it is quite beyond my province to determine. It would, of course, be improper, and out of order, for a Member to state as a fact anything which he cannot substantiate. If it is capable of being established as a fact that the effigy of the Prince of Wales has been publicly burnt, then, perhaps, no great difference of opinion would arise, as to the appropriateness of the epithet disloyal applied to such a transaction. The rule of the House is, as I have stated, that no matter of opinion or argument can be introduced in putting a Question.

MR. SCULLY: Before the right hon. Gentleman the Secretary for Ireland rises to answer the Question, I have a question to put to him. [*Cries of* Order, order!] I am not out of order. I have written my Question out.

MR. SPEAKER said, that the hon. Member for Cork was out of order in interrupting the right hon. Baronet when about to answer the Question of the hon. Member for Peterborough.

SIR ROBERT PEEL: Sir, I wish first of all to say, with regard to the observations of the hon. Member for Cork (Mr. Scully), that in the Question which has been put there has been no concurrence between the hon. Member for Peterborough and myself. I never have done, and never will do, such a thing. The hon. Member certainly asked me the other night whether he could put a Question to me with reference to the recent proceedings in Ireland. I said that any hon. Member was at liberty to address to me any inquiry he chose, and that I was bound to answer to the best of my ability. I deny, however, that there was any arrangement whatever between the hon. Member and myself on the subject. As to the Question itself, it is a matter of public notoriety that disturbances occurred in Ireland about the 10th inst. But I am quite sure that no one can reasonably affirm that these demonstrations on the part of a few seditious persons, in two or three localities, are of any weight whatever as faithfully representing the public opinion of Ireland. There have been these demonstrations, but they were extremely partial, and I maintain it would be most unfair to allow them to outweigh the general feeling of loyalty and attachment to the Throne which prevails among the great bulk of the Irish people. With regard to the Question put to me—and I am bound to answer it—as to the burning in effigy of the Prince of Wales, I read in the papers that such a thing did occur; but I do not think too much importance must be attached to that means of displaying feeling, and I will give the reason why.

MR. WHITESIDE: In what paper was it stated?

SIR ROBERT PEEL: I understood that the effigy of the Prince of Wales was burnt in the towns of Kilrush and Ballina. Why, in 1861 I saw it publicly announced in the newspapers that I was myself to be officially burnt in effigy in a town in the west of Ireland. I had never been in that town, and could have given it no offence; but I visited the place on two or three occasions afterwards, and experienced no inconvenience whatever from the warmth of that demonstration. The truth is that the feeling in Ireland is sound at the core; and I am bound to say I believe that in London or anywhere else in England a handful of seditious persons, if organized, might easily break the peace, or any half-dozen or dozen evil-disposed schoolboys interfere with a proposed illumination. But in 1861 I myself witnessed the enthusiasm with which the Sovereign was received when she visited Ireland, and I am satisfied now, in spite of the supposition of the hon. Member, that if the Prince of Wales went, accompanied by his bride, to visit that country, in the course of his progress through the United Kingdom, he would there receive as warm a welcome as could be accorded to any member of the Royal family in any part of the Empire.

MR. SCULLY said, he would then put the Question of which he had just given notice. Previously to doing so, he wished to apologize both to the right hon. Baronet and the hon. Member for Peterborough, for having imputed any concert between them as to the particular Question to be put and the answer to be given to it. He had made the imputation because he saw the right hon. Baronet rise after communicating with the hon. Member. The Question he wished to ask the Chief Secretary was, whether he regarded the so-called demonstrations in Dublin, Cork, and other places in Ireland, on the 10th inst, as indications of personal disloyalty towards Her Majesty the Queen or the Prince of Wales, or rather as manifestations of grave discontent in that part of the United Kingdom? He also wished to ask, whether any precautionary measures had been adopted by the authorities in those places to prevent the demonstrations; whether he thought the better classes in Dublin, Cork, and elsewhere, had taken any part in the organization of those demonstrations for the purposes imputed by the hon. Member for Peterborough; and, if so, in what manner? ["Order!"] Hon. Members, perhaps, thought his question too long. If they interfered any further with him, he was afraid he should be compelled to begin it again in order to preserve the whole thread of his inquiry. Well, he would ask further, whether the students of Trinity College, Dublin, had contributed in any way to the local riots of the 10th of March; whether there was such a place in Ireland as Bellina, so pointedly referred to by the hon Gentleman; and, lastly, he desired to learn whether it was a fact known to the Government that the effigy of the Prince of Wales had been publicly burnt in Kinsale, Bellina, or Bellona, or any other places in Ireland?

SIR ROBERT PEEL: This Question is rather a long one, but I most distinctly deny that there was any collusion in respect to the Question put to me to-night by the hon. Member for Peterborough. As regards the students of Trinity College, Dublin, to whom part of the hon. Member for Cork's Question refers, I believe they did not participate in any riot on the 10th inst. Like other young men, they made some joyous demonstrations on, I think, the 9th; but I have heard no report, and I do not believe it at all likely, that they made any riot on the 10th. As relates to Cork, I have seen the statement in the newspapers, and I have also the authority of a written report from the Mayor of that city, that an organized band of persons disturbed the peace there. Indeed, it is a matter of public notoriety. Their numbers were, however, very limited; and no one believes that that demonstration of a few seditious persons in any way represented the public feeling of the people of Ireland.

MR. WHITESIDE: I wish to ask whether the Government have directed any investigation to be made into the conduct of any magistrate in any part of Ireland who may have failed to perform his duty, being at the time supplied with a military and police force to put down the rioters if rioters appeared? Again, has any deposition been sent to the Castle, stating the fact of this burning in effigy?

SIR ROBERT PEEL: Yes, there was a report from a sub-inspector with reference to the alleged burning in effigy in Kilrush, and I have just seen a telegram stating that eight or ten persons have been summarily disposed of by being sent to prison.

MR. WHITESIDE: The right hon. Baronet has not answered precisely the Question which I put to him. My Question was whether, systematic riots being said to have taken place, and the magistrates being provided with police and military, any inquiry has been ordered into the manner in which these magistrates performed their duty?

MR. SCULLY: And whether any inquiry has been ordered into the conduct of the Mayor of Cork?

SIR ROBERT PEEL: I have not heard that there has been any neglect of duty on the part of any magistrate, the police, or the military.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DIPLOMATIC SERVICE.

RESOLUTIONS.

MR. DODSON said, he rose to call attention to the charges for the diplomatic service and to make a Motion on the subject. The expenditure on the diplomatic service, as far as he could ascertain it, amounted altogether to £360,000, and about one-half of that sum was defrayed under Act of Parliament by a fixed annual charge on the Consolidated Fund. The other part of our diplomatic expenditure was provided for in the Estimates yearly voted by the House. The various items of which it was composed were scattered up and down the different volumes of Civil Service Estimates, some of them being avowedly for diplomatic expenses, while others were disguised and placed under headings where one would least expect to find them. With the fragmentary Estimates which were submitted to the House at different intervals, it was impossible for any hon. Member, when asked to go into Committee of Supply, to say what was the cost of the diplomatic service, how the money voted was expended, or what they got for it. And yet, if he could not answer these questions, how could he give an intelligent "Aye" or "No" in Committee. Even if the Estimates were produced in an intelligible form, they would still be of comparatively little use, because they provided for only one-half of the expenditure on the diplomatic service. He had endeavoured to ascertain how it was that they had got into that position. Before the year 1830 a portion of the diplomatic expenditure was defrayed from the Civil List, and the other part by the Votes of that House. In 1831 the Civil List was reformed. A Committee which sat upon the question felt the mischief of making the House of Commons vote one-half of the charges for a service, while the other half was withheld from its control, and accordingly recommended that the whole expense of that service should be thrown upon a single fund—namely, the Consolidated Fund. At the same time. a few specified extra expenses for subsidiary matters, were put in the Estimates. These extras were gradually increased by salaries, advances for houses, repairs, &c., until at length, in 1862, they had reverted to the original abuses of the year 1830. He also observed that several diplomatic officers figured in the Estimates as if they belonged to the consular service, while others, who ought to appear in the Estimates, were transferred to the Consolidated Fund. It seemed, indeed, as if the Foreign Secretary could withdraw from the control of the House all the appointments which might be thought questionable, submitting only those which could not fairly be impeached. Another point requiring explanation was, that diplomatic agents, who while on service were paid out of the Consolidated Fund, had been placed among the Consuls in receipt of pensions. The late Chargé d'Affaires at Venezuela, for example, had been pensioned out of the Votes of that House; while, on the other hand, there was a Consul pensioned out of the Consolidated Fund. In fact, the present system was full of anomalies and contradictions which were difficult to understand, and which placed that House in a very difficult position when they were called upon to vote the Estimates for the diplomatic or for the consular service. The Act of 1832 was intended to put a definite limit on the expenditure of the diplomatic service, whereas that limit had, in some cases, been openly transgressed and in others indirectly evaded. He asked the House, therefore, to affirm the Resolution which he had moved, and the effect of which would be to repeal the Act which charged the service upon the Consolidated Fund and to provide that Estimates for the whole of the diplomatic expenditure should be submitted to the House in a connected form, and the Votes for that service taken, as those for the army and navy were proposed, in one draught. The House often felt that its power on foreign questions was imperfect, and that it was only through the Crown that it could deal with foreign Governments. But the House had the legitimate remedy in its own hands, from the constitutional check it possessed in the power of the purse. If the whole of the Estimates for the diplomatic service were annually voted, the House would strengthen its hold on that branch of the public service, tighten its rein over the Foreign Office, and exercise a more direct influence on questions of foreign policy. The diplomatic body would feel themselves to be more the servants of the public and less of the Foreign Office, while the Foreign Office itself would become more sensitive, and would more quickly respond to the wishes of the House. Their foreign policy being more under the control of the House would acquire a more national character, and the diplomatic body, deriving their power immediately from the support they obtained in that House, would gain in popularity at home and acquire additional weight and influence abroad.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, all sums required to defray the expenses of the Diplomatic Service ought to be annually voted by Parliament, and that Estimates of all such sums ought to be submitted in a form that will admit of their effectual supervision and control by this House,"

—instead thereof.

MR. LAYARD said, that he must admit that much of what his hon. Friend had said was true. No doubt, the practice with regard to the voting of the expenses of the diplomatic service was different from that which prevailed in reference to other departments of the public service. But the system had hitherto worked well. His hon. Friend had expressed the same opinions last year, and he (Mr. Layard) then ventured to differ from him. He was prepared to oppose the Motion on two grounds:—First, he thought what his hon. Friend proposed would be objectionable on the score of economy; and secondly, on the score of the efficiency of the public service. What was the real state of the case? In 1825 no less a sum than £300,000 a year was assigned to the diplomatic service. In 1830 it was reduced to £230,000, but at that time the salaries of *attachés* were not, he believed, included in the Vote for the diplomatic service. After mature consideration, in 1832, it was proposed that a gross sum of £180,000 should be placed on the Civil List for the annual expense of the diplomatic service. That sum was to include not only the charges for the foreign missions, but also the retiring pensions to which Ministers and others in the diplomatic service were entitled. His hon. Friend had mixed up several things which were distinct. The nominal sum was only £180,000; but going through the different classes of Estimates his hon. Friend calculated the gross annual expenditure at not less than £360,000. But that embraced various parts of the public foreign service included in Classes 5 and 6 of the Estimates. There was a distinction between the consular and diplomatic service to which his hon. Friend had not adverted. The sum of £180,000 was made to meet the expense of the foreign missions alone and pensions. The only real exceptions were the diplomatic establishments in China and Japan, which had sprung up since the arrangement of 1832 was made, and for which separate Votes were taken. His hon. Friend had stated that in Class 6, among the superannuation grants, were included the pensions of diplomatic officers. That was not the case. Then his hon. Friend had referred to the cases of the Chargé d'Affaires at Venezuela, and other diplomatic agents in America. In the first place, some of the instances to which his hon. Friend had alluded probably referred to a period prior to the new arrangements made with regard to our missions in South America, where the consuls general had received diplomatic appointments: their salaries were now paid from the diplomatic list. It sometimes happened that when a consul general and diplomatic agent was absent on leave, the Consul of the place was charged for the time with the duties of consul general and diplomatic agent. Although he for the time being discharged diplomatic functions, yet as Consul his pension would come under the superannuation list as that of a consular officer. The arrangements as to South America were different from those as to other countries. In nearly all the States of South America they had not diplomatic agents, but consuls general, who had diplomatic powers. While the annual Votes for every branch of the public service had increased, in many instances, to the extent of one-third, during the last few years, the diplomatic service alone remained stationary; and the Foreign Office, by the exercise of strict economy, was able to hand back annually to the Treasury some £7,000 to £10,000; but if the diplomatic charges were annually submitted to the House, he would venture to say that the increase would be as great in them as in those for the other departments. Excellent reasons would be assigned by hon. Members for the increase of this and that diplomatic salary. The evidence before the Diplomatic Committee showed that the expense of living had increased nearly threefold in almost all the capitals in Europe, and he believed that with few exceptions every Minister and Ambassador abroad spent more than he received from this country. Members of the House would be constantly bringing forward special instances of grievance in this respect, and the House would, perhaps, not be disinclined to listen to them. Therefore, he was convinced, that if the House had annually an opportunity of discussing the amount of diplomatic salaries, the result would be a large increase of expenditure in that direction. Upon the question of efficiency he must say, that the last reason assigned by his hon. Friend for making the change he proposed was the very reason why he should be disposed to resist it. The hon. Gentleman said, that if these salaries were annually discussed in that House, the Ministers and Ambassadors of this country would become more dependent for their policy upon public opinion as expressed in the House, that they would look to this House instead of the Foreign Office. They had in the diplomatic service as able, as intelligent, and as independent a body of men as existed in any other branch of the public service of the country; but the proposed change would, he believed, be fatal to the efficiency of the diplomatic service. Formerly, when a change of Government took place, there was also a change of their representatives abroad; but that system had, to a great extent, disappeared, and consequently their diplomatic agents had become independent of any political parties, obeying simply the instructions of the Minister of the day. But if every year diplomatic salaries and missions were discussed in that House, and our representatives were made to depend for them upon their political opinions, they would look to Parliament rather than to the Secretary of State; they would become politicians instead of servants of the public, and the authority and responsibility of the Secretary of State would be lessened. In the cases of Japan and China the House had been asked to vote sums for diplomatic salaries in addition to the £180,000 which had been agreed upon; but those cases were peculiar, a large diplomatic and consular staff having to be created in both of those countries. The experience gained by those Votes, and by the Votes for the consular establishments, did not encourage the proposition to submit all diplomatic salaries to annual discussion ; for instead of diminution in amount, appeals were being constantly made in that House for additional consuls to be appointed. While the consular Votes had increased year by year, the Foreign Office was limited to the expenditure of £180,000, and it was compelled to restrict its expenditure to that amount. There were some charges connected with the diplomatic service, such as for messengers and couriers, which were included in the Civil Service Estimates ; but the £180,000 had only been intended to meet the pay and pensions of the diplomatic agents, and not to include such items as those referred to. He believed that the Resolution, if carried, would only result in an increase of expenditure, without in any way improving the efficiency of the service, and in very much damaging the efficiency of this branch of the public service. On these grounds, he hoped his hon. Friend would withdraw his Motion, or that the House would refuse to adopt it.

MR. GRANT-DUFF said, he thought that nothing would be gained to the cause of diplomatic reform if the proposal were carried; for he believed that if the expenditure on that service was annually discussed by the House, it would be increased every five years. The amount for diplomatic services was not large, and, upon the whole, was well administered. He was not well satisfied with the expenditure in Paris, but was bound to admit that a majority of the Committee which sat two years ago did not agree with him. He believed that such Motions as that under consideration did harm, by withdrawing the attention of Parliament from what really required amendment. An increase of efficiency, and not a decrease of expense, was really needed in the diplomatic service. That service was at present in a fair condition, having been improved by the last regulations of the Foreign Office; but still further improvement was required, and that House could best contribute to that end by constantly pressing upon the Government to uphold the standard of diplomatic merit, and to make the service one *d'élite* which no one should be allowed to enter who had not shown that he possessed superior abilities.

MR. AUGUSTUS SMITH said, he was struck by the extraordinary statement of the hon. Under Secretary of State as well as by the extraordinary theory he had propounded. The hon. Gentleman said that the diplomatic expenditure had not increased for thirty years ; but it was proved that, instead of £180,000, the expenditure upon that service was £360,000 a year. The hon. Gentleman also said, that if diplomatic and consular salaries were annually submitted to that House, the consequence would be a great increase of expenditure. But, if that theory was good for anything, it went to the extent that there was no use in submitting any Estimates at all to Parliament. As to the increased expense of living abroad, that point had been considered by the Committee, who, however, instead of recommending increase of salaries, advised that no salary should exceed £5,000 per annum. He believed that they had, particularly in Germany, more diplomatic establishments than were necessary. He remarked that whenever they withdrew their diplomatic agents from any place things went on very smoothly, and it would appear that they only tended very much to increase mischief. It might be said that they gained information at the small Courts in Germany ; but so far from that information being useful they would be better without it.

MR. AYRTON said, that it was much to be regretted that such an important Motion had not been met by a responsible Minister of the Crown. It was trespassing too much upon the indulgence of the House to leave the subject to be dealt with by an Under Secretary of State. The hon. Under Secretary stated, that if diplomatic salaries were voted by that House, the persons who received them would become party men, who would agitate for the increase of salary instead of attending solely to the service of the country. Now, was that a proper reason to give to the House of Commons for refusing it the control over the diplomatic expenditure? All the permanent civil service was paid by Votes of the House, and in every Department of the State there were important officers whose salaries were paid in that way ; but were they made party men in consequence? Another reason given by the hon. Under Secretary was, that if the salaries were submitted to the House of Commons, they would be raised by the importunity of Members, and that the public expenditure would thus be increased. Now, it appeared to him that that was a libel upon the character of the House. Would any Minister of the Crown venture to assign such reasons as these for opposing the Motion? At present the charge upon the Consolidated Fund was often supplemented by Votes of Supply; but it was impossible for the House to form any just judgment respecting this expenditure without having the whole of it before them. At all events, he submitted that in connection with each item in the Votes upon that subject there should be distinctly stated the amount which was charged upon the Consolidated Fund.

THE CHANCELLOR OF THE EXCHEQUER said, that he must say that all his prejudices and prepossessions were in favour of such a Motion as that before the House, because it tended apparently, ostensibly, and even really, to extend the jurisdiction of the House with regard to the details of public expenditure. Nine years ago it was his lot to propose to the House the adoption of a measure which removed from the Consolidated Fund a very large number of charges, and placed them on the annual Votes. At that period it was the duty of the Government to consider each case by itself, and to determine whether each charge should be submitted annually to Parliament, or placed on the Consolidated Fund. After taking a comprehensive view of the whole question, at that time it was the opinion of the Government that the diplomatic charges, properly so called, ought to be retained upon the Consolidated Fund; and when he subsequently submitted a measure upon the subject, he was not aware that an opposite opinion was expressed in the House. It was to be borne in mind that the question was then considered not casually, upon a particular point raised at a particular moment, but after full notice, after public attention had been drawn to the subject, and a comprehensive view had been taken of it, with the assistance of the collateral light thrown upon it by the consideration of kindred matters. He did not say that that fact was decisive of the question, which must of course be settled, one way or the other, wholly by a regard to the public advantage. The existing system was not, he admitted, perfectly and absolutely consistent. The general intention of the Act, which charged £180,000 a year upon the Consolidated Fund for the payment of diplomatic salaries and pensions, was that all the higher classes of officers should be provided for from that source. That, however, was not so; and, on the other hand, some of the lower class of officers, as to whom he thought it unnecessary that they should be placed there, were so provided for. It was conceivable, that upon consideration of the subject some partial improvement might be effected in distributing these charges, but that was not the question with which the House was dealing. His hon. Friend laid it down broadly that "all sums required to defray the expenses of the diplomatic service ought to be annually voted by Parliament." Now, to that Motion there was, in his view, in the first place an objection of principle, and in the second place an objection of practice. It had been the just opinion of the Legislature that the highest diplomatic officers held a position which it was so important to maintain in the highest degree of independence that it should really be treated in a manner analogous to that of the Judges, and that their salaries should be placed beyond the reach of the smallest uncertainty. His hon. Friend the Under Secretary had, at the same time, expressed an opinion, which was entitled to much more weight than his own, that the change proposed would be injurious to the discipline of the Service. As Chancellor of the Exchequer, however, it was his particular duty to regard the question from a point of view connected with his own Department, and he was bound to say, that speaking simply in the interest of the Treasury, and setting aside all constitutional reasons, he deliberately preferred the arrangement as it stood to the arrangement as proposed. They had had a good deal of experience upon the subject, and there had been some difficulty as between the Treasury and the Foreign Office in arriving at one conclusion upon many of these points; but in all the cases where the Foreign Office had made requisitions upon the Treasury for an increased public charge, these demands had invariably been supported by reference to movements in that House, to demands made there, and to the Reports of Committees of that House. The Foreign Office itself had greatly reduced these demands, and upon further consideration between the two Departments a further reduction had been effected, so that in a simple practical point of view he gave his entire adhesion to the main proposition laid down by his hon. Friend the Under Secretary. He did not deny the jurisdiction of the House of Commons in these matters, if they thought fit to exercise it; but he hoped that, on the grounds he had stated, they would not accede to the Motion. As to the statement that there had been a great increase in the diplomatic charges, that must be an error, for he thought that there had been no increase at all corresponding with the increase in the charges for government generally. But an increase had taken place in the consular charges, which were subject to the Votes of the House, and must depend, to a great extent, upon the demands of the growing commerce of the country in various parts of the world. The difficulty in keeping down these charges did not arise from the extravagant wishes of the Foreign Office, but from the necessity of making head against the authority of a Report presented by a Committee of that House. He could not give his adhesion to the proposition laid down by his hon. Friend, and he trusted that the House would not accede to his Motion.

LORD HARRY VANE said, that from what he had seen as a Member of the Diplomatic Committee he had upon practical grounds arrived at the same conclusion as the right hon. Gentleman, and he did not think that any reduction of expenditure would follow if these Estimates were submitted annually to the House. He thought that the Chancellor of the Exchequer was right in the analogy which he had drawn between the position occupied by the Judges and the higher diplomatic servants. The calculation on which the sum charged to the Consolidated Fund for the diplomatic service was grounded, was made many years back by the noble Lord the present Prime Minister and adopted by the House. Augmentations for contingencies had since been made, but these were annually submitted to Parliament. On the ground of economy he should recommend the rejection of the proposition submitted to the House.

MR. PEACOCKE said, he rose to express a hope that the Motion of the hon. Member for Sussex would not be adopted He had, however, understood the Chancellor of the Exchequer to argue that Ambassadors were placed on the same footing as the Judges of the land. Nothing could be more false in fact or theory. It amounted to this, that the members of the diplomatic body were fixed servants of the Crown. The Government of Sir Robert Peel, and many other Governments, he believed, had on taking office changed those who occupied the higher positions in the diplomatic service, and much of the evidence taken by the Committee on the Diplomatic Service went to prove, that so far from it being desirable that Ambassadors and Consuls should remain fixed servants of the Crown, it was, on the contrary, extremely desirable that consular servants should be selected from those who had displayed efficiency in public life at home, because they commanded more respect than those who had passed their time in the diplomatic service. The hon. Member for Southwark had expressed apprehension, that if a Vote on this subject were brought annually before the House, the foreign policy of the country would be more under the control of that assembly. That constituted no good ground of objection, for it had been proved to the satisfaction of the Committee that it was very desirable that foreign ministers should become better acquainted with, and learn to appreciate more, the public opinion of the country as it found expression in Parliament. He opposed the Motion solely on the ground of economy—believing that the charge for the diplomatic service would increase year by year if the course recommended by the hon. Member was adopted.

THE CHANCELLOR OF THE EXCHEQUER said, that the hon. Member who had just spoken had attributed words to him of which he had not made use. He likened the position of the higher members of the diplomatic body to that occupied by the Judges, not on the ground of their tenure of office, but on the ground of their independence.

MR. KINNAIRD said, he would gladly support the Motion if he believed that economy would be secured by its adoption; but looking at the large increase that had taken place in the charges for the consular service, which, before they came under the control of the House, amounted to £96,000, but now exceeded £160,000, he did not think that such would be the case. That increase had been incurred at the desire of the merchants.

MR. SCLATER-BOOTH said, that he should support the Motion. Whether the hon. Member for Sussex went to a division or not, he had done good service by his Motion. He had shown the necessity of a revision of the system under which the charges for the diplomatic service were regulated, and the sooner the Government took up the matter the better. It had been shown that the £180,000 charged to the Consolidated Fund was insufficient to cover the charges placed upon it. In addition to the increased expense occasioned by the embassy to China and to Japan, there was this year a new Vote for the payment of an *attaché*, and he feared that from year to year there would be an increase of such Votes. He did not offer any opinion as to whether a portion of the charge for the diplomatic service ought not to be borne by the Consolidated Fund, but he thought it desirable that the House should have the control of the great body of the expenditure.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 136; Noes 65: Majority 71.

DISTINGUISHED SERVICE COLONELS—COLONEL DUDLEY CARLETON.

OBSERVATIONS.

MR. HENRY SEYMOUR said, he rose to call attention to the case of a number of officers of the army whose claims had been reported upon favourably by a Committee of the War Office, and had also been admitted to be deserving of consideration by the authorities of that Department. He had mentioned the name of Colonel Dudley Carleton in his notice, but there were several other officers in a similar position. These officers were promoted to the rank of colonel for distinguished service in the field previous to the Warrant of October 6th, 1854, which was, no doubt, a salutary and necessary measure, but had occasioned much individual hardship. To such an amount of discontent did it give rise, that a Commission was appointed in 1858 to inquire into its operation. The principal recommendations of the Commission were embodied in the warrant of 1858, which remedied many of the grievances. A number of cases, including those of Colonel Dudley Carleton and some others, were, however, left undecided by the Commission, but were recommended to the favourable consideration of the War Office. There was some question whether these officers came within the scope of the memorandum which was published with the brevet of the 20th of June, 1854, and which declared that officers promoted under that brevet would receive their promotions subject to new regulations about to be promulgated by Royal warrant. The officers held that they were beyond the terms of that memorandum, as it applied simply to those officers who obtained promotion under the brevet and not to such as were subsequently promoted in regimental succession. The Committee of general officers who inquired into the matter in 1861 took an opposite view. The officers in question, however, rested their claims on another ground, and that was the favourable recommendation of the Commission of 1858, which was endorsed by the Committee of 1861. The Secretary of State for War also agreed in that recommendation, for Major General Lugard, on behalf of the War Office, on the 8th of November last, urged the Horse Guards to give effect to that paragraph in the Report. The recommendation of the War Office would, it might be thought, carry with it a certainty of being attended to; but it was not acted upon, because the Commander-in-Chief stated in a communication dated the 7th of February, 1863, that having considered the question, he was of opinion that the objections to the proposal were so great that he did not feel justified in agreeing to it. His Royal Highness did not give any reason, and it was a rather curious circumstance that in the beginning he was of a directly contrary opinion. At present, then, the matter stood thus :—It had always been acknowledged that Colonel Carleton and the other officers were injuriously affected by the Warrant of 1854, and a Committee, which differed upon other cases, had reported unanimously in favour of theirs. The Secretary of State for War had intimated his acquiescence in that Report, and, in fact, the only objectors were the authorities at the Horse Guards, who seemed to think they had a controlling voice in all matters connected with military affairs. But what he could not understand was, as he had already stated, that the authorities at the Horse Guards were originally favourable to the claim of Colonel Carleton and the other officers, and that it was the Secretary for War who opposed their promotion. The parties had changed sides, and now the Horse Guards were the only objectors. That, he submitted, was rather hard upon the gallant officers. Colonel Carleton served during the whole of the Crimean war without receiving any promotion whatever. In his regiment no less than sixteen out of thirty officers were killed, and it was to that he owed his high regimental position. He had received a colonelcy, but a large number of lieutenant colonels had stepped over his head in consequence of the Warrant of 1854, and he still felt himself under grievous disadvantages. It was on that account that he had wished his case to be brought under the notice of the House, and unless he received some satisfactory statement from the Secretary of State on that occasion, he should, in all probability, think it his duty to move for the appointment of a Select Committee after Easter.

SIR GEORGE LEWIS said, the class of officers to whom the hon. Gentleman had called attention was limited, consisting only of three; and one of them had obtained his promotion, and was now full colonel. The only effect of the change sought by his hon. Friend was, that he could hold a different position among the class of full colonels. His place in the *Army List* would not be the same as at present. There were two classes of officers who were affected by the Warrant of 1854. There was one class known as the colonels of distinguished service, who were tolerably numerous, whose case was the subject of the correspondence recently laid upon the table, and upon which notice of Motion had been given by the gallant Gentleman opposite (General Lindsay). Now, the case of these distinguished service colonels stood upon wholly different grounds from that of the three officers whose case had been brought before them. That case related to promotion in the Guards. It would be impossible to deny that the Warrant of 1854 injuriously affected certain individual officers in the Guards. Their case, however, was considered by a Commission in 1858, the Members being the Duke of Cambridge, the Duke of Newcastle, Lord Grey, Lord Panmure, Lord Rokeby, Mr. Sidney Herbert, Mr. Edward Ellice, Sir James Scarlett, Sir Fenwick Williams, Sir Frederic Smith, Sir Henry Storks, and General Eyre. A more competent Commission could not have been appointed, and, after careful inquiry, they did not recommend any alteration in the mode of promotion in the Guards introduced by the Warrant of 1854. The system had consequently been continued up to the present time. When such a rule had been acted upon and acquiesced in for a considerable number of years, even assuming it was not perfectly just in its operation, inflicting hardship on particular persons, it was extremely difficult for those intrusted with the administration of promotion by an *ex post facto* regulation to step in and alter it. The War Office, moved by the recommendation of the last Committee, brought the matter under the consideration of the Horse Guards; but the Commander-in-Chief, who was the proper head of the discipline and promotion of the army, having made a careful inquiry, and having heard the statements of the various officers who would be injuriously affected if the proposed alteration took place, came to the conclusion, that whatever evil there might be in the present state of things, it was less than that which the suggested remedy would entail. Nothing could be more certain than that when such variations were made one set of complainants was substituted for another, and the only effect of granting the application of Colonel Carleton and his brother officers would be to raise up a more numerous class of petitioners. Under these circumstances, while admitting that the Warrant of 1854 injuriously affected certain officers, he was not prepared to say, looking at what had taken place, and considering the extent of time over which the rule had been acted upon, that the decision of the Commander-in-Chief was not strictly just.

GENERAL LINDSAY said, he thought the case of these officers one of peculiar hardship. They were a body who were hit by the Warrant of 1854 more severely than any other class. It occurred in this way. That warrant was by a retrospective clause made applicable to the 20th of June, 1854. At that date these officers were senior captains at the head of their respective regiments, and in a fortnight or three weeks afterwards they were promoted to the rank of lieutenant colonels. If they had been majors, they would have had first to become lieutenant colonels before the warrant could affect them; but being the senior captains of their respective regiments they were affected at once; and no fewer than 200 lieutenant colonels had gone over their heads in the last nine or ten years. The question brought before the Commission which had been referred to was the general claim made by the senior officers of the Guards, on the part of the captains and lieutenant colonels, that they might not be so hardly dealt with as they had been by the Warrant of 1854. The Commissioners expressed the opinion that the case was one to be carefully watched by the Commander-in-Chief; and if the general claim was found to be such as had been represented to them by Lord Rokeby, it should be rectified with the consent of his Royal Highness and the Secretary for State by giving them special promotion. But the case of the particular class of officers now under discussion was not specially brought before the Commissioners. That special case was, that they had been promoted between the 20th of June and the 6th of October, 1854. Their claim could not perhaps be legally enforced as long as the warrant was held to have a retrospective operation ; but if ever there was a case which should have been leniently and considerately dealt with, it was the present. The Secretary of State had himself thought so, and had pointed out to the Commander-in-Chief that all the lieutenant colonels of the line promoted between those two dates had already been removed, either by retirement or promotion, these few officers alone being now left. While the Commissioners of 1854 recommended that all lieutenant colonels of the line should be promoted on three years' effective service, they also recommended that the existing captains and lieutenant colonels of the Guards should be promoted on completing six years' service, or just double the period for the line. He thought that term of six years might fairly have been extended to the officers promoted between the 20th of June and the 6th of October 1854, without the least injustice to any other class of officers. Their case was one eminently deserving of generous treatment, and he trusted that before the hon. Gentleman opposite had an opportunity of bringing it forward again, it would receive favourable consideration at the hands of the Secretary of State.

Sir JOHN SHELLEY said, it was impossible for any one to read the particulars without admitting that the case was one of as great hardship as could possibly be inflicted ; and he really could not understand how it was that the Secretary of State for War could have altered his opinion in so short a time, because they had his letter in favour of the officers only four months ago. The Commissioners reported one way, and the Commander-in-Chief differed from them. An umpire was therefore wanted between them, and the right hon. Gentleman ought to be that umpire. They often heard of the privileges of the Guards being greater than those of the Line ; but the papers relating to the case showed that the fact of Colonel Carleton belonging to the Guards had operated seriously to his prejudice. For an officer of distinguished service, who was looking forward to the higher rank of general, to have two hundred of his juniors placed over him was no light matter, and it would seem as if in this instance there was something more than met the eye. As one of the public, he thought injustice had been done to these three or four deserving officers, and he trusted that the right hon. Gentleman would represent the circumstances again to the Horse Guards, so as to obviate the necessity for a special Committee of Inquiry.

Colonel DUNNE said, he thought it very unwise to raise the questions about the privileges of the Guards. No doubt there were anomalies : but if officers in the Guards had other officers promoted over their heads, they should recollect that they had themselves enjoyed a great advantage over the Line.

Colonel DICKSON said, he was sorry to differ from his hon. and gallant Friend, with whom he generally acted on military questions ; but he did not think that the question had anything to do with the privileges of the Guards. He objected, as a general rule, to matters of discipline being brought under the consideration of the House. The case which had been submitted to the House was one of peculiar hardship, which might be easily rectified without injury to the service, or to the discipline of the army ; and he thought that if the Commander-in-Chief were supported by the Secretary for War, and by the opinion of the House, justice would be done, and he trusted the matter would be taken into serious consideration.

Main Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) £1,953,000, on account of certain Civil Services.

Mr. AUGUSTUS SMITH said, he objected to being called upon unexpectedly to vote so large a sum of money upon account before the whole of the Estimates were laid upon the table. He further objected to so doing when there were admitted to be considerable balances in hand. He wished for some explanation from the Secretary to the Treasury upon that point. In one class alone he understood there was no less a balance than £620,000; why should they vote more money than was absolutely wanted for any one branch?

Mr. W. WILLIAMS said, he regarded Votes on account as injurious to a proper supervision of expenditure; but as the balances of various Votes were paid into the Exchequer, his objection was not so strong as it otherwise would have been.

Mr. CHILDERS said, the Committee might really be congratulated on the Vote, because it was owing to the adoption of the principle recommended by the Committee on Public Accounts which had been presided over by the right hon. Baronet the Member for Portsmouth (Sir Francis Baring)—namely, that of making the Estimates include not the sums required for the service of the year, but the sums that would actually become payable within the year. Under the old system, the balance of a Vote once taken was transferred from year to year till the whole was expended. That practice had been abolished, and the balances which remained in hand on the 31st of March were handed back to the Exchequer. With regard to the present Vote, it was taken on account of the Civil Service Estimates as a whole, not as instalment of each particular Vote. There would thus be no obstacle in the future discussion of the Estimates.

Mr. PEEL said, the Vote on account was rendered necessary by the change that was made in the last Session in the manner of voting the Civil Service Estimates. The sums voted last year were for payments falling due in 1862-3; therefore any payment falling due after the 31st of March could not, with a due respect to the provisions of the Appropriation Act, be made out of the sums voted during the last year. As to this Vote on account being suddenly presented to the House, he would only observe that it had always been stated that the change of form in which these Estimates were now presented would necessarily require a Vote on account to be taken. He trusted the Committee would agree to the Vote, for otherwise the new plan would certainly fail.

Mr. AUGUSTUS SMITH said, he wished to know when the year began and ended? Were the payments for salaries due on March 31 made in 1862-3 or in 1863-4?

Mr. PEEL said, that payments which became due at the end of the quarter would be paid on the following day, and would form part of the amount to be voted by the Committee for the coming year.

Mr. AUGUSTUS SMITH said, he thought it incomprehensible that the payments for the last quarter of one year should be made in the first quarter of the next year.

The CHANCELLOR of the EXCHEQUER said, that a perfect system required, according to the idea of the hon. Gentleman, that all payments for the expiring year should be made while the clock was striking twelve on the night of the last day of the last quarter. Such a perfect system, however, was impossible, and the system pursued was to make all payments as speedily as possible after they became due. When payments became due upon the lapse of fixed periods, the payments could only be made when those terms had expired. In the case of the National Debt, the half-year did not terminate at the same time as the Government quarter. The difficulty, however, was more apparent than real, and was so incident to human affairs that he despaired of overcoming it.

Sir JOHN SHELLEY said, that as a Member of the Select Committee he wished to thank the right hon. Gentleman for adopting their recommendations with respect to the public accounts. They appeared to work very satisfactorily.

Vote *agreed to.*

(2.) £574,154, Customs Department.

Sir HENRY WILLOUGHBY remarked that there was a slight increase in the Vote. From the remission of Customs duties which had taken place of late, one would have expected some reduction in the charges; but such was not the fact. In 1861-2 and in 1862-3 the Vote was identical with the present; but in the year 1861-2 the expenditure was £731,625 only, or £22,525 less than the Vote. For what was the £754,154 wanted, if £731,625 was sufficient that year? Probably, the right hon. Secretary to the Treasury could give some explanations on the point.

Mr. AUGUSTUS SMITH said, that a reduction of upwards of £82,000 in the Vote had been promised. Instead of that, he found there had been an increase.

Mr. PEEL said, that if the hon. Gentleman would compare the amount of the Vote with that at which it stood some years ago, he would find that since the changes which had taken place in this

Department a reduction in the Vote to a considerable extent had taken place. The principal reduction then made was in the number of examining officers; but the great increase of business which had since taken place had rendered a corresponding increase necessary in the Vote. It would also be observed that the salaries had a minimum and maximum, amount. It was probable, that when the large official changes took place some years ago, many of the officers entered at the minumum salaries which had since been increasing, and thus the Vote had become enlarged in amount. A Committee upstairs was, however, making inquiries into the Government establishments in all the ports of the country. Of course, any recommendation which that Committee might make would be duly attended to, but at that moment it had not reported.

Vote *agreed to.*

(3.) £1,351,771, Inland Revenue Department.

Sir HENRY WILLOUGHBY said, that under this head also, as compared with the actual expenditure of 1861-2, the present Estimate showed an increase of £57,569.

Mr. PEEL said, there was a reduction, as compared with the Estimate of last year, amounting to £30,000. He could only account for the difference mentioned by the hon. Baronet by supposing that in 1861-2 there were some offices vacant or salaries not drawn.

Sir HENRY WILLOUGHBY said, it was remarkable that these salaries always crept up and never crept down.

Mr. AUGUSTUS SMITH said, that they wanted to know not so much what past Estimates had been, as the actual expenditure in past years.

Vote *agreed to.*

(4.) £2,098,920, Post Office Services, &c.

Sir HENRY WILLOUGHBY said, the vast increase in this Department might well alarm the Chancellor of the Exchequer, and there was great danger of the whole Post Office revenue being swallowed up in charges. The revenue from that Department in round numbers amounted to £3,500,000, but the salaries and expenses exceeded £2,000,000. As compared with actual expenditure in 1861-2, the present Estimates showed an increase of £28,250, and there was a further sum of £75,000 for contingencies. He wished to know whether the Estimate included all the salaries and expenses of the Post Office? He was inclined to think that there were other charges, without mixing up the Packet Service with the matter. He trusted that his right hon. Friend would give them some clear information on the point.

Mr. W. WILLIAMS said, he did not understand why the sum asked for in the present year should be larger than the Vote of last year.

Mr. AYRTON said, he wished to ask what arrangement had been made for meeting the expense of the Post Office savings banks?

Mr. PEEL said, that that expense did not fall within the Estimates. The increase mentioned by the hon. Member for Evesham (Sir Henry Willoughby) was to be accounted for by the continual additions made to the provincial establishments. An increase had also been made in the pay of sorters and letter carriers in the circulating department. The total increase in the Estimate over that of last year amounted to £14,233.

Mr. AYRTON inquired whether he was to understand that all the expense connected with the Post Office savings banks was paid out of the interest derived from the money of the depositors, and was not brought into the present Estimate. He was not aware that any authority was given by the Act to the Government to do that.

Mr. PEEL replied in the affirmative.

Sir HENRY WILLOUGHBY said, he desired to have it explained how it happened that such an immense sum as £75,000 was asked for on account of contingencies; and he also wanted to know whether the Treasury Department exercised any clear and precise control over the Post Office.

Mr. PEEL said, that no addition was ever made to the establishment of the Post Office without the matter being brought under the notice of the Treasury. With regard to the sum required for contingencies, full information would be found in the Estimates.

Sir HENRY WILLOUGHBY said, he wished to ask for an explanation of the item of £37,000 for official postage.

Mr. PEEL replied, that provision was made in the Civil Service Estimates for payment to the Post Office for the conveyance of official letters. In this Estimate provision was made for the conveyance of the correspondence of the Post Office itself. The receipts and expenses of the Post Office were thus shown.

Vote *agreed to;* as was also—

(5.) £515,796, Superannuations and Compensation Allowances, &c.

(6.) £56,986, to complete the sum for the Houses of Parliament.

Mr. HADFIELD said, he wished to call attention to the amount of fees paid on the passing of private Bills. It was said that the various companies and other parties applying for private Acts paid more than was sufficient to meet the expenses of both Houses of Parliament. It seemed to him monstrous that Parliament should make a large profit through the exercise of its legislative privileges, by taxing the promoters of projects beneficial to the public. He thought it would be well if a debtor and creditor account were furnished of the income and expenditure of the Private Bill Office.

Mr. PEEL said, that these fees were paid into the Exchequer, and appeared in the financial accounts. At this moment there was a Committee of the House sitting to inquire into the whole subject.

Mr. AUGUSTUS SMITH said, he could not but complain of the great inconvenience which was occasioned by the taking of Votes on account, especially when the Committee was, as in that instance, asked to consider the Votes themselves on the very same evening. He also called attention to the rate at which these Estimates had increased of late years. In 1842 their amount was only £2,900,000; in 1852 £3,800,000, and that year it was £7,850,000. In 1842 the amount of Class 2, which included all the expenses of the Executive of the country, was £730,000; in 1852 it was but a little more than £1,000,000; that year it was £1,473,000.

Mr. PEEL reminded the hon. Gentleman that a great number of charges which were formerly paid out of the Consolidated Fund, or by fees, now appeared in these Estimates. That was a circumstance which ought not to be lost sight of in comparing the Estimates of different years.

Vote *agreed to;* as were also the following:—

(7.) £38,730, to complete the sum for the Treasury.

(8.) £19,263, to complete the sum for the Home Office.

(9.) £56,325, to complete the sum for the Foreign Office.

(10.) £23,047, to complete the sum for the Colonial Office.

(11.) £14,637, to complete the sum for the Privy Council Office.

(12.) £47,181, to complete the sum for the Board of Trade, &c.

Mr. AUGUSTUS SMITH said, he desired to have some explanation of the amount expended upon what he might call the office of the clerk of the weather. A table of the weather was published in the papers every day, and it was accompanied by certain forecasts which, notwithstanding the wide range which they took, were scarcely ever fulfilled. Mr. Francis Moore used to take the safe side, giving through the greater part of the month the one statement, "wind and rain;" but since the President of the Board of Trade had assumed his privileges the intimations had been more detailed, and varied nearly every day. The effect of these predictions, with regard to sailors and fishermen, was often very injurious, either by keeping them at home when they might go to sea, or by inducing them to go to sea when they might be overtaken by storms. Only two days before the great storm of the 19th of October last Admiral Fitzroy prophesied that the weather on that day would be moderate, and it was only on the following day that, finding the weather was changing, he sent out a telegram that gales might be expected. In what he called the "Weather Book" he published the latter prediction, but not the former one. He should like to know whether the right hon. Gentleman the President of the Board of Trade himself consulted his clerk of the weather before he started upon a voyage in his yacht. In truth, the whole thing was a burlesque, for no man could foretell the weather in so variable a climate as that of England.

Mr. MILNER GIBSON said, the Estimate had not yet been presented, and he therefore could not tell his hon. Friend what was its precise amount. The Vote for the Meteorological Department had, he might add, been proposed originally for the purpose of enabling this to co-operate with other countries in the collection of facts with reference to the prevalence of particular winds in parts of the ocean, and the classification of those facts, in the hope that some rules might, by means of international communication on the subject, be established, and navigators thus guided on long voyages, and enabled, by ascertaining where certain winds might be found, to shorten their time at sea. The suggestion originated with the Royal Society. A system had since sprung up of deducing, from such facts as were obtained, forecasts of the weather, for the guidance of merchant seamen in determining whether they might or might not with safety leave port. Now, operations of that description had not been contemplated when the Vote had been originally proposed, and he had therefore called the attention of the Treasury to the growing increase in the Vote, and had suggested, that as the expenditure was diverted to other purposes than the collection and classification of facts, the proper departments should put themselves in communication with the Royal Society, and learn their opinion as to whether meteorological science had arrived at a state of such perfection as to admit of forecasts of the weather being made with tolerable accuracy. The matter was therefore still unsettled; but when the Government received the report of those scientific gentlemen whom they had asked to pronounce an opinion upon it, they would be in a better position to say whether it was expedient to continue to vote the public money for the purposes to which he was adverting. Under these circumstances, his hon. Friend would not, he hoped, object to the passing of the Vote in the present year.

Mr. DILLWYN said, he was glad to hear from the right hon. Gentleman that the Board of Trade had placed itself in communication with the Royal Society on the subject, inasmuch as he had very grave doubts whether the public money would be usefully expended for the object in question or not. Admiral Fitzroy's drums, as they were called, which were to be seen at some of the ports, instead of guiding, tended, in his opinion, very often to mislead the masters of vessels. Not long ago he had observed, to a friend, seeing that one of these drums was not up, that the weather was sure to be fair, but that night came on one of the worst storms we had experienced this year. On the occasion of the Prince of Wales's wedding, too, having gone down to Swansea, where there were some demonstrations to do honour to the event, it so happened that he found one of those drums was up. Everybody, as a consequence, feared that a storm was at hand, but, instead, there were two or three days of very fine weather. Thus, on two occasions within his own knowledge, those signals were at fault.

Mr. AUGUSTUS SMITH said, that as the subject was under consideration he would not further oppose the Vote.

Vote *agreed to;* as were also the following Votes:—

(13.) £1,994, to complete the sum for the Privy Seal Office.

(14.) £6,741, to complete the sum for the Civil Service Commission.

(15.) £14,640, to complete the sum for the Paymaster General's Office.

(16.) £2,923, to complete the sum for the Department of the Comptroller General of the Exchequer.

(17.) £22,857, to complete the sum for the Office of Works and Public Buildings.

(18.) £19,839, to complete the sum for the Office of Woods Forests, and Land Revenues.

(19.) £15,235, to complete the sum for the Office of Public Records, &c.

(20.) £157,424, to complete the sum for Poor Law Commissions.

(21.) £37,901, to complete the sum for the Mint.

(22.) £19,610, to complete the sum for the Inspectors of Factories, &c.

(23.) £4,316, to complete the sum for the Exchequer and other Offices in Scotland.

(24.) £2,445, to complete the sum for the Household of the Lord Lieutenant of Ireland.

(25.) £11,580, to complete the sum for the Offices of the Chief Secretary for Ireland.

(26.) £2,752, to complete the sum for the Inspectors of Lunatic Asylums, Ireland.

(27.) £16,314, to complete the sum for the Office of Public Works, Ireland.

(28.) £25,060, to complete the sum for the Commissioners of Audit.

(29.) £14,351, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

(30.) £10,090, to complete the sum for the Inclosure and Drainage Acts; Imprest Expenses.

(31.) £35,511, to complete the sum for the General Register Offices.

(32.) £10.982, to complete the sum for the National Debt Office.

(33.) £2,910, to complete the sum for the Public Works Loan and West India Islands Relief Commissions.

(34.) £5,111, to complete the sum for the Lunacy Commissions.

(35.) £1,223, General Superintendent of County Roads, South Wales.

Mr. AUGUSTUS SMITH said, that so rich a district as South Wales ought not to come upon the Consolidated Fund for so paltry an amount.

Mr. W. WILLIAMS said, he believed that it was the only amount of public money which was granted to Wales.

Sir FRANCIS BARING said, he wished to ask what funds had been used to pay money under the Vote since January, as there was no balance in the Exchequer.

Mr. PEEL said, that no payments had been required, and none would be made until April.

Vote *agreed to;* as were also the following Votes:—

(36.) £2,374, Registrars of Friendly Societies.

(37.) £12,243, to complete the sum for the Charity Commission.

(38.) £4,495, to complete the sum for the office in London under the Local Government Act, &c.

(39.) £2,342, to complete the sum for collecting Agricultural and Emigration Statistics (Ireland).

(40.) £1,193, to complete the sum for the Landed Estates Record Offices.

(41.) £1,098, to complete the sum for Quarantine Expenses.

(42.) Motion made, and Question proposed,

> "That a sum, not exceeding £24,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Her Majesty's Foreign and other Secret Services."

Mr. W. WILLIAMS said, there had been no time to investigate these Estimates, and he should therefore move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

Mr. PEEL said, he had given notice that these Estimates would be taken to-night.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(43.) £244,139, to complete the sum for Printing and Stationery.

Mr. W. WILLIAMS complained of the increase in the amount of this Vote.

Sir HENRY WILLOUGHBY said, he wished to ask who was responsible for that Vote, the increase in which was almost incredible. Within the last twenty-seven years the country had spent pretty nearly £8,000,000 in printing and stationery. In 1835 the cost of these items was only £125,000; in 1853 it had risen to £216,000; and the next year it doubled, nor had it ever fallen materially from that time. In 1861 it was £416,000, and in 1862, £342,000. Every year an immense amount of stuff was laid before the House of Commons, which nobody ever read, and the House got credited with extravagant expenditure in printing. A great deal of the printing set down to the House was not fairly chargeable against it. Every Department which wanted to have something printed without swelling its own bill, managed somehow to get it put down to the House of Commons. The House appointed a Committee every year, which was composed of some of the ablest Members, to assist the Speaker on questions of printing. But did that Committee ever meet?

Mr. PEEL said, that the Departments were under the control of the Controller of the Stationery Department, who acted under certain rules laid down by the Treasury. If he received any application from any Department which was inconsistent with these rules, he made a special application for instructions to the Treasury. The Vote was, in fact, not so large as it seemed to be, for £40,000 was paid into the Exchequer on account of the sale of printed papers, and £19,000, voted for the printing in the Patent Office, was repaid by the fees.

Mr. AUGUSTUS SMITH said, he had moved for a Return some time ago, which showed that the expenditure caused by the printing of papers for the House of Commons was comparatively very small. He hoped that hon. Members would not be deterred from moving for Returns by the plea of expense. Frequently most important and useful information could be obtained from the Government in no other way than by moving for a Return.

Colonel SYKES asked, whether the printing for the Public Departments was done by contract?

Mr. PEEL said, that the printing provided for by the Vote was of three kinds—printing for the Government, printing for Her Majesty (that is, printing Acts of Parliament and Proclamations), and printing for the House. The payment of the charges for such printing was arranged in different ways.

Vote *agreed to;* as were also—

(44.) £90,025, to complete the sum for Postage of Letters on the Public Service.

(45.) £9,662, to complete the sum for the Treasury Chest.

(46.) Motion made, and Question proposed,

"That a sum, not exceeding £6,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for the Expedition to the Niger under the charge of Dr. Baikie."

Mr. AUGUSTUS SMITH said, that he hoped the Government would not proceed further with the Estimates that night as the Committee had not sufficient information before them to enable them to discuss the Votes which they were asked to pass.

Mr. DODSON said, that eighteen Votes had been passed over in consequence of the absence of the hon. Under Secretary for the Colonies, and the result was, that a branch of the Estimates was now taken up unexpectedly, which hon. Members, who were absent, did not anticipate would be proceeded with that night.

Colonel SYKES said, that if the Estimates had been gone through in their proper order, the items under consideration would not have come on at that early hour, in the absence of hon. Members who, perhaps, desired to take a part in their consideration, and he should therefore move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again.

Viscount PALMERSTON said, he had frequently heard objections to proceeding with Votes at a late hour, but to object to go on because it was too early—for that seemed to be the objection here—was a rather novel course. The Government were quite ready to discuss any points that might be raised by hon. Members.

Mr. AUGUSTUS SMITH said, that the noble Lord was not dealing fairly with them, because it had not been anticipated that a number of Votes would be passed over, and others taken that could not have been reached had the Votes been taken in order. He had also to complain, that in consequence of the Votes given on account when they went into Committee, the sums put from the Chair were not the sums printed in the Estimates.

Mr. DODSON said, he submitted that before they voted the sum for the diplomatic service, they ought to know what was the expenditure of the last year. He hoped they would postpone the Vote for that service until after Easter, and that the House in the mean time would be furnished with Returns showing them the cost of the diplomatic service for last year.

Colonel SYKES said, the objection to proceed had not reference to the hour of the evening. The question was, were Members then prepared to go into those Votes? They were not prepared to go into them. He hoped the noble Lord would not press them to do so after such an expression of dissent from the Members of the House.

Viscount PALMERSTON replied, that full notice was given, and it was no argument to say that it could not have been expected that the earlier Votes could be disposed of so quickly and others come to. There were Votes that would be unopposed that might be taken.

Mr. AUGUSTUS SMITH said, he hoped the noble Lord would give them a pledge that the Votes for the diplomatic and consular service would not be taken that evening.

Mr. W. WILLIAMS said, it seemed that the object of the Government was to shuffle the Votes through without inquiry, because, of twenty-eight Votes, nineteen had been postponed to a future day. Such postponements involved confusion. He wanted the Government to give notice of the numbers of the Votes that would be taken, but they would not do that.

Viscount PALMERSTON said, that the Government would not go on with the Votes for the Diplomatic Service, on which hon. Members required further information, that evening; but there were a number of other Votes which might be considered.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

The following Votes were then *agreed to:*—

(47.) £66,000, to complete the sum for Bounties on Slaves and Tonnaged Bounties, &c.

(48.) £6,950, to complete the sum for Mixed Commissions.

(49.) £116,462, to complete the sum for Superannuation and Retired Allowances.

SIR HENRY WILLOUGHBY said, he wanted to know whether the Superannuation Account was not increasing.

MR. PEEL said, that as far as that year was concerned, there was a decrease in the total amount, although there had been some new superannuations on account of the abolition of the Bermuda convict establishment.

SIR HENRY WILLOUGHBY asked whether there was not an increase in the dockyard establishment.

MR. PEEL said, he was not aware of any increase during the last two or three years.

SIR FRANCIS BARING said, he wished to call attention to an omission which had occurred through some inadvertence to the Superannuation Act, in consequence of which great hardship resulted in officials who suffered personal injury while engaged in the public service. The old Act contained a provision whereby the Treasury were enabled, under special circumstances, to grant a suitable allowance to persons who were disabled, as one of the officials in the Portsmouth dockyard had been a short time since from the murderous attack of a convict. Under the present Act, however, if the official had not been in the service for a period of ten years, there was no power to make a provision for him. That was a matter which he thought required the consideration of the Government, and he trusted that the Treasury would find a way to rectify the defect.

MR. CHILDERS said, he wished to inquire what had been done in the case of the Bermuda convict officials.

MR. PEEL said, that those officials received the usual retiring allowances, with the addition of compensation for the abolition of their situations. Those who were eligible for re-employment forfeited their allowances if they declined to accept it.

MR. AYRTON said, he had often wondered whether the forfeiture of allowances on declining re-employment was ever enforced.

MR. PEEL said, it was somewhat difficult to exercise the power of re-employing superannuated officials. Lately, however, a number of Custom-house Officers, who had been superannuated, were again taken into employment.

Vote *agreed to.*

The following Votes were also *agreed to:—*

(50.) £744, for Toulonese and Corsican Emigrants, &c.

(51.) £325, for Refuge for the Destitute.

(52.) £1,966, to complete the sum for Polish Refugees and Distressed Spaniards.

MR. COX asked whether the Polish refugees had gone back to assist in the insurrection. Poland was now the proper place for them.

Vote *agreed to;* as were also the following Votes:—

(53.) £55,700, Merchant Seamen's Fund Pensions.

(54.) £10,400, to complete the sum for Relief of Distressed British Seamen Abroad.

(55.) £2,625, to complete the sum for Miscellaneous Allowances formerly on Civil List, &c.

(56.) £1,451, to complete the sum for Public Infirmaries (Ireland).

(57.) £1,600, to complete the sum for the Westmoreland Lock Hospital.

(58.) £700, Rotunda Lying-in Hospital.

(59.) £200, Coombe Lying-in Hospital.

(60.) £4,600, to complete the sum for the House of Industry, Dublin.

(61.) £1,500, to complete the sum for the Cork Street Fever Hospital.

(62.) £600, Meath Hospital.

(63.) £100, St. Mark's Ophthalmic Hospital.

(64.) £1,300, Dr. Steevens' Hospital.

(65.) £245, Board of Superintendence of Dublin Hospitals.

(66.) £5,847, to complete the sum for the Concordatum Fund.

(67.) £25,278, Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland.

MR. W. WILLIAMS said, the charge was increasing, and ought to be diminished. He would take the sense of the Committee on proceeding with it in the absence of many hon. Members who took an interest in the subject.

Motion made, and Question put,

"That a sum, not exceeding £25,278, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1864, for Non-conforming Seceding, and Protestant Dissenting Ministers in Ireland."

The Committee *divided:*—Ayes 53; Noes 26: Majority 27.

Mr. HENLEY said, before the Chairman reported progress, he would beg leave to say that he thought that the mode in which the Votes had been taken that night was very inconvenient, and he trusted that it would not be drawn into a precedent. The notice on the paper of the Votes to be taken was, to say the least of it, very equivocal. It might be read different ways. It might have been supposed either that a Vote was to be taken on account for the several numbers mentioned, or even that the Votes were to be taken throughout upon each particular item, but no one would suppose that a Vote was to be taken on account early in the evening, and that the balance of the same Vote was to be taken at a later hour. Certainly if such a proceeding as that were intended, common candour required that full notice should be given, so that hon. Members might know what they were about. The Committee had actually agreed to balances in cases where the former Votes on account had not been reported, and where there was nothing to show to what they related. Such a hop-step-and-jump method of doing business precluded the possibility, he would not say of discussing the Votes in a proper manner, but even of understanding them. Many hon. Members were no doubt absent, thinking that the Votes would be taken in their regular order. But if that precedent were to be followed, they might as well all stay at home, for it was impossible that they could take part in the discussion for any useful purpose.

Mr. W. WILLIAMS said, he wished to thank the right hon. Gentleman for his well-timed observations, and to express a hope that they would have the desired effect. He had often known Votes passed in an improper manner, but he had never witnessed such a proceeding as that of that evening. Nearly a hundred different Votes had been agreed to, and yet he believed that not one hon. Member knew anything whatever about them, as they were put from the Chair. Such a mode of transacting business was not in conformity with the honour or duty of the House, and he joined with the right hon. Gentleman in hoping that it would not be made a precedent.

Mr. PEEL explained that the Votes on account taken that night were not taken on the usual grounds on which Votes on account were asked for; but in consequence of a change which had been introduced during the last year in the mode of voting the Civil Service Estimates. Last Session those Estimates were voted on a principle which rendered it necessary that the Government should have the authority of the House for making certain payments falling due after the 1st of April next. It was by mere accident that the residue of the Votes was taken on the same evening. He had intended, indeed, to ask for Votes on account on the previous day, but the debate on the Irish Salmon Fisheries Bill occupied the whole of the sitting; and when he asked the House to go into Committee of Supply, his Motion was objected to, on the ground that it was then too late to proceed with it. He was consequently obliged to give notice for that night, because it was the last night on which Votes on account could be taken, if the Government were to have funds to meet the payments falling due at the beginning of the following month. With respect to taking the balance of the Votes on the same night, he could not tell at the beginning of the evening what progress the Committee would make, and therefore, in order to make sure of the sums required immediately, it was necessary that he should commence by taking a sum on account in respect of all the Votes.

Mr. HENLEY said, that he had not objected to the taking of Votes on account, as he quite understood the necessity for that course under the arrangements of the last year. But when that course was adopted, the House generally understood that another opportunity for discussing and eliciting explanations relative to the particular Vote would be afforded. He never before recollected a Vote on account and what was called the balance being both taken on the same evening. Indeed, he could not tell how the Chairman arrived at the balance when the Vote on account had not been reported. He believed that the first Vote ought to have been reported to the House before the second was proceeded with, and that the two should be treated as distinct Votes. Was the Report to be brought up on the following day in a double shape? That was a matter of no trifling importance. The process that had been adopted, if not irregular, was certainly novel, and he thought it so unusual that he felt it his duty to enter his protest against it.

Mr. DILLWYN said, he was glad that the right hon. Gentleman opposite had animadverted on that great irregularity which was creeping into their proceedings, and which, if continued, would put an end to the House's control over the Votes. He trusted that the same right hon. Gentleman would draw up a Resolution calculated to check so evil a practice. He supposed that the temptation to slip through the first and second halves of a Vote on the same evening was so great that the Government could not resist it.

SIR GEORGE LEWIS said, there could be no doubt that the course pursued that night had been unusual, because he believed that was the first, or nearly the first occasion on which the plan of taking Votes on account for the Civil Service Expenditure had been acted upon. But he could not admit that there was anything in it either dangerous, unconstitutional, or which limited the responsibility of the Government. What was it that his right hon. Friend the Secretary to the Treasury had done? Why, he had first asked for a Vote on account, say, to defray the salaries of the Treasury, and that Vote was agreed to. Then, later in the evening, he had asked for a further sum to make up the amount required for the expenses of the Treasury for the year. The right hon. Gentleman opposite said that the House knew nothing of those Votes on account until they had been reported. But what the Committee had to be satisfied about was that the Government asked neither too much nor too little in the aggregate for the expenses of the Treasury for the year; and if it had assented to the two Votes, he could not see that the Committee had been wanting in its duty, or that the Government had been guilty of any breach of its responsibility to the House. He quite agreed that it was not desirable that this course should often be repeated. He admitted that it was unusual, and might even, perhaps, be inconvenient, but that it was liable to the very severe censure of the right hon. Gentleman opposite, or that in this instance it could lead to any dangerous consequences, he could not for a moment suppose. The two sums correctly made up the amount which the Government intended to ask for the services of the present year; and it was impossible for his right hon. Friend to know in the early part of the evening what progress the Committee might make with the Votes. What he had to do, in the first instance, was to secure a Vote on account to meet the payments falling due in April. The approval awarded by his hon. Friends near him to the observations of the right hon. Member for Oxfordshire was therefore somewhat precipitate.

MR. HENLEY said, that he had never used the words "dangerous or unconstitutional." He had called the practice "novel," and believed it to be "irregular," and the right hon. Gentleman himself had just applied to it the further epithet of "inconvenient," which was quite correct. So far as he was concerned, he was content to leave the matter on that footing.

COLONEL SYKES said, that when a Vote on account was moved that evening, he had felt satisfied that no division would be taken, and that an opportunity for discussion would be afforded when the balance was asked for on some future occasion. Believing that the usual practice would be adhered to, he had left the House.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

TELEGRAPHS BILL—[BILL 57.]

COMMITTEE.

(*Progress 23rd March.*)

Bill *considered* in Committee.

(In the Committee.)

Clauses 13, 14, and 15 were *agreed to.*

Clause 16 (For Works under or over Land Consent of Owner, &c., requisite).

MR. BLACKBURN said, the clause provided that no company should place its works over or across any lands belonging to the Crown without the previous consent of the proprietor. He wished to propose a verbal Amendment, extending the same rule to lands belonging to private owners.

MR. MILNER GIBSON explained that the clause stated that generally the company should not place posts "on, over, or along" any land except with the consent of the owner, lessee, or occupier. It was only in the saving part of the clause that the power arose of crossing property other than Crown property without the consent of the owner; but it had reference only to wires carried over houses, and not within six feet of them, in which case the consent of the street authorities was to be held sufficient. The proposed alteration would operate as a serious impediment to the extension of town telegraphy.

MR. C. TURNER said, he wished to inquire how a man who lived in a two-story house, which he wished to raise to four stories, or who wished to build a mill on the spot, was to get rid of the wire.

Mr. MILNER GIBSON said, in the next clause there was a proviso which guarded the rights of the owner of the house in such a case.

Lord ALFRED CHURCHILL said, there was no nuisance in having a wire passed six feet over a house. If the consent of every householder were to be obtained, the sixpenny telegraph system could never have been carried out in London.

Mr. BLACKBURN said, he did not think the right hon. Gentleman was well acquainted with his own Bill. The proviso to which he had referred was contained in the 26th clause.

Mr. HENLEY said, he wished to ask when the street authorities gave permission to have a telegraph erected, what was to prevent the wire being brought across a man's window?

Mr. MILNER GIBSON replied that the meaning of the clause was that no wire was to be taken in and no post was to be erected within ten yards of the front of a house without the consent of the owner or the occupier. But a wire might be carried six feet above the elevation of the level of the roof without the written consent of the owner or occupier. If, however, the wording was obscure, it should be made clear.

Mr. BLACKBURN said, he did not see why the same rule which applied to houses built upon Crown property should not also be applied to houses not so built.

Mr. LOCKE said, he wished to ask whether, if a house of two stories were to be raised to six stories, the wire was to go through it or be raised.

Mr. MILNER GIBSON said, the wire would be raised.

Amendment *negatived.*

Clause *agreed to.*

Clause 17 *agreed to.*

Clause 18 (For Telegraphs above Ground, and Posts, within certain Distance of Dwelling Houses, Consent of Occupier, &c., requisite).

Mr. HENLEY inquired whether the rule which forbade that a wire should come within ten yards in front of a house of the value of £20, or within six feet of the roof, would apply to houses along turnpike roads.

Mr. MILNER GIBSON said, it would apply to all dwelling-houses.

Mr. HENLEY said, he should move to strike out the words "of the annual value of £20 and upwards." He did not see why the humbler occupiers should not have the same protection against the wire and posts being placed in front of their houses without their consent as people living in dwellings of £20 and upwards.

Lord ALFRED CHURCHILL said, a limit must be placed somewhere, and he thought £20 a fair one.

Mr. MILNER GIBSON said, that the objection taken by the right hon. Member was *primâ facie* a sound one. If, therefore, the right hon. Gentleman would consent to allow the matter to stand over, he would see whether they could not provide in some way the protection he desired.

Mr. HENLEY said, the poor man ought not to have his doorway stopped up, any more than the rich man, by having a post put up to it.

Lord ALFRED CHURCHILL denied that there was any practical nuisance in the case of the poor man.

Mr. WALPOLE said, he wished to ask if there was no practical nuisance, why they exempted £20 houses?

Amendment *agreed to.*

Clause *agreed to.*

Clauses 19 to 22, inclusive, *agreed to.*

Clause 23 (Powers of Board of Trade respecting the Objection).

Mr. BLACKBURN said, he would suggest the omission of the words "providing that compensation should be settled by the Board of Trade."

Mr. MILNER GIBSON said, there would be no means of giving compensation at all if these words were omitted.

Lord ALFRED CHURCHILL suggested that the omission of the words would force telegraph companies into courts of law, and the less they were found there the better.

Words retained.

Clause *agreed to;* as was also Clause 24.

Clause 25 (Costs).

Mr. HENLEY said, he doubted whether the terms of the clause were large enough to enable the Board of Trade to settle costs in cases of arbitration.

Mr. MILNER GIBSON said, he would put in words to carry out that object.

Clause *agreed to.*

Clause 26 (For Building or other Purposes, Owner, &c., may require Removal of Works though not originally objected to, but subject to Reference to Board of Trade).

Mr. LOCKE said, he wished to call attention to the injustice which the adoption of the clause would work. He would put the case of a person having a piece of land on which he wished to build a house, or a house on which he wanted to place an additional story. He might be prevented from doing either of those things because a telegraph company had carried their wires six feet above his house or his land. The remedy proposed by the Bill was, that he should state his grievance to the Board of Trade, who would pronounce what in their opinion was a just decision. But that was contrary to all law. The noble Lord complained that telegraph companies would be driven into a court of law on every occasion, and so they ought to be. The common law said they should not place a wire across a man's house without his consent. *Cujus est solum ejus est usque ad cœlum* was the maxim of the common law, but it was to be no longer observed. The Board of Trade were to have power to say a man should not build his house higher; but if it did give leave, the landowner was to pay the expense of applying for permission. That was preposterous. A man should be left to the exercise of his common law rights.

Sir GEORGE BOWYER said, he also protested against the clause as interfering with the common law of the land. It was quite true that private Bills introduced into Parliament sought to do so also, but in the case of these compensation was provided. As the clause stood a man could not ride across his own land. It ought to be framed in such a manner as to leave him a right of action in case he suffered any injury from the wire running over the land.

Mr. BUTT said, the two hon. and learned Gentlemen who had preceded him appeared to have misapprehended the effects of the clause. A previous clause required that the company should do as little damage as possible, and should make compensation for any damage inflicted. If the wires ran over a man's house so as to interfere with his raising his house, of course the owner would be entitled to compensation. The provisions of the Lands Clauses Consolidation Act would also apply, and therefore this was a clause in relief of the landowner. It was only in cases where an Act of Parliament had been obtained authorizing the erection of the telegraph wires that the landowners would be put to the expense of applying to the Board of Trade.

Mr. HENLEY said, he must admit that the clauses which had been agreed to gave telegraph companies power to go over a man's house, at a height of six feet, without compensation; but if he wanted to raise the house, why should he be obliged to go to the Board of Trade for permission? That was an abomination. No one had a right to place an impediment in the way of a man getting nearer to heaven, which was what they all wanted to do in some way or another.

Mr. DILLWYN said, that no doubt the powers given by the Act were similar to the powers conferred by private Bills, but there was a difference between public and private Bills. In the case of a private Bill all parties had notice, and could make their complaints before a Select Committee, and then, as a last resort, they could fall back on the Lands Clauses Consolidation Act. He thought these were dangerous powers to confer.

Mr. MILNER GIBSON said, he was at a loss to understand what amendment was required. The hon. and learned Member for Southwark (Mr. Locke) seemed to think it was an advantage to compel a man to go to a court of law rather than to the Board of Trade. The clause was eminently protective of the rights of the owners of property, and it vindicated those rights in the cheapest and most summary manner. He therefore trusted that the Committee would pass the clause.

Mr. HENLEY said, that in order to bring the matter to an issue he would move to omit all the words after the word "notice," in line 42, page 10, to the word "expedient," in line 19, page 11. The Bill gave the companies power to take their wires over any man's house and across any man's land. ["No, no!"] He maintained that it did. If the company got the consent of the public authority, having control over the street, they could carry their wires without leave and without compensation. If a man wished to build a house on the land over which the company's wires ran, he did not see why he was to wait for the consent of the Board of Trade to enable him to do so.

Mr. MILNER GIBSON said, that he wished to know the effect of the proposed Amendment.

Mr. HENLEY said, that the effect would be, that where a company had an easement over a house or land, on the owner giving them notice that he wanted to deal with his property, they must either remove or alter their wires, so as to give him an opportunity of making the alterations he required.

Mr. MILNER GIBSON said, that a man might capriciously and wilfully give the company notice, and it would be most unreasonable that the company should not be heard.

Mr. J. C. EWART said, he must agree that there ought to be some court to which both parties could appeal.

Mr. ROLT said, that the Bill dealt with the rights of property in a manner entirely novel. ["No!"] Yes, it took away the rights of property without compensation, and that had never occurred before. The sixth clause of the Bill provided for compensation if damage were done to private property; but if the company, by the authority of the public body having charge of the road or street, carried their telegraph wires in the air six feet above the house or land, not doing any damage, then there was to be no compensation to the owner. The house over which the wires were carried might be a low one, and the owner might wish to raise it, but he must first sue to the Board of Trade for power to do so. Now, this was going too far. He thought it was a dangerous thing to allow interference with the rights of property at all without the consent of the owner, and without compensation; but if for objects of public utility such an interference were permitted, it should at least be guarded in every possible way, and the owner who contemplated an improvement in his property should not be forced to go to the Board of Trade in order to enjoy his rights. The Amendment of the right hon. Gentlemen was therefore quite necessary. The wires ought to be removed at a short notice on a simple assertion of the owner that he required to build.

Mr. MILNER GIBSON said, it might be quite right that the telegraph company should be forced to remove the wires, in order that the owner of the house or land might carry out any improvement; but having laid those wires lawfully and under the authority of Parliament, they ought, when required to remove them, to have the opportunity of stating any objections which might be raised against that removal. All the modern improvements—railways, canals, telegraphs—interfered with private rights, and he would not consent to leave the companies at the mercy of private caprice.

Mr. Henley

Mr. AYRTON said, there could be no doubt as to the correctness of the construction which had been put upon the clause by his hon. and learned Friend. In the case of railways and canals the owners of property were paid for the land that was taken from them; but the telegraph wires were to be laid without compensation to the owner, and perhaps against his will; and then, when he wished to execute improvements which interfered with the wires, he was not to be allowed to do so, but the Board of Trade was to decide whether or not he was at liberty to use his own property. Still, the Amendment went a little too far, and he hoped the right hon. Gentleman (Mr. Milner Gibson) would reconsider the clause.

Mr. MILNER GIBSON said, he wished to point out that telegraph companies would have more power without the clause than with it, for the Bill interfered with such companies and not with owners of property. It was rather for the telegraph companies than for the householders to claim compensation. He should, however, be happy to consider any Amendment that the clause was capable of.

Mr. HENLEY said, he thought that the Amendment which he had proposed would be sufficient to meet the object which he had in view. If a man desired to raise his house ten feet, it was clearly the duty of the telegraph companies, after receiving notice to that effect, to raise their wires ten feet to enable him to do so. There could be no doubt, that in the course of the last year or two, several Bills had slipped through Parliament conferring powers which ought never to have been granted. The clause, moreover, would not apply to any case where the landowner had given permission or received compensation.

Sir GEORGE BOWYER said, he could not understand what the Board of Trade would have to decide, or on what principles they would decide. Suppose he wished to build his house four stories high; it might be a caprice, but he had a right to indulge that caprice. The question was, whether a man was permitted to build his house as the common law permitted him. Then, what had the Board of Trade to decide? Every man should be left to his common law right to do as he pleased with his property. In the case of a man living in Northumberland, was he to come up to town to obtain the sanction of the Board of Trade, or to employ agents for that purpose?

MR. MILNER GIBSON said, he would again express his readiness, if the Amendment was withdrawn, to postpone the clause, with the object, in the mean time, of endeavouring to render its wording more generally acceptable.

MR. C. TURNER said, that the analogy between telegraph and railway companies was imperfect. Railway companies could not act without notice. The power conferred by the Bill, on the other hand, was a more arbitrary infringement of private rights. He was advised by high legal uthorities, that if the Bill became law, no man across whose land telegraph wires passed would be able, in future, to sell that property, without previously obtaining the consent of the Board of Trade. In many cases, where the offer was made conditionally upon immediate possession being given, the restriction would seriously damage the value of the land, if it did not prevent the owner from parting with it altogether. He hoped it would be made imperative on telegraph companies to remove their wires when required to do so.

SIR JOHN SHELLEY said, he believed one of the objects of the Bill was to protect certain existing companies which had received powers to erect their posts and wires surreptitiously. He himself was a sufferer from the existing system; and he therefore trusted that it would be made clear that the clause applied to them.

MR. MILNER GIBSON said, that the hon. and learned Member for East Gloucestershire (Mr. Rolt) had entirely misrepresented the Bill. The sixteenth clause provided that no company should place any works upon any land or building without the consent of the owner, occupier, or lessee, and therefore it was not correct to say that the measure authorized the taking of land or property without compensation. The only property with which it interfered was property in the air, in cases where the wires passed over houses in towns.

MR. ROLT said, that was exactly what he objected to. That was the first time that Parliament had been asked to interfere with any right of property without providing for the compensation of the owner.

MR. MILNER GIBSON said, that such powers were contained in existing Acts. The measure before the Committee was really one to restrict telegraph companies from doing that which they could do with impunity if the Bill were never in existence. All that this clause did was to give the company a right of appeal to the arbitration of a third party in case of any disputes arising between the company and the owners of property.

MR. BLACKBURN said, that the right hon. Gentleman wished to give the Board of Trade power to restain companies, but that was a duty which Parliament itself ought to discharge.

MR. HENLEY said, that in his reference to retrospective legislation, the right hon. Gentleman had not been quite candid. The last paragraph of the 18th clause provided that any landowner who wanted to re-obtain possession of any land over which wires had been carried, should give full compensation to the company. He hoped that that clause would be withdrawn.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Remaining Clauses *agreed to.*

MR. DALGLISH said, he would move after Clause 6 to insert a clause requiring a telegraph company to pay an annual rent for the use of streets or roads, at such a rate as might be fixed by the Board of Trade.

MR. MILNER GIBSON opposed the clause. He did not see why these companies should be placed in a more disadvantageous position than gas or water companies.

Clause *negatived.*

MR. BUTT said, he would move the insertion of the following clause after Clause 14:—

> "Whenever in Ireland any street or public road shall be under the control of any grand jury of a county, then and in that case the county surveyor shall, for the purposes of this Act, at all times when such grand jury shall not be assembled, exercise all the powers, rights, and duties in this Act declared to belong to the body having the control of such street or public road."

COLONEL DUNNE said, he objected to the powers of the grand jury being delegated to the county surveyor, as proposed by the clause.

SIR EDWARD GROGAN suggested that the notice might be given to the county surveyor or to the secretary of the grand juries, provided it was inoperative until the grand juries themselves met and decided whether they would object or consent to the proposed works.

MR. MILNER GIBSON said, he would promise to confer with persons acquainted with Ireland and Irish law, and to take the notice into consideration.

Clause *withdrawn.*

Mr. DILLWYN said, he wished to move an additional clause, having for its object the removal of posts which had been already placed by any existing company on any part of a public road in positions which were, in the judgment of the body having the control of such road, dangerous to the public.

Mr. MILNER GIBSON said, he did not object to the principle of the clause, but he did not think the form of it would do. He would prepare a clause with the same object, and bring it up on the Report.

Clause *withdrawn.*

Mr. LYGON proposed a clause, providing that any proprietor whose property had been injuriously affected by the works of a telegraph company might apply to the Board of Trade, which Board, on being satisfied that the complaint was well founded, might require the company to repair the injury.

Mr. MILNER GIBSON said, that the clause only proposed to do what was meant to be done by the 26th clause; and he thought it ought to be considered in connection with the Amendment in that clause.

Mr. BLACKBURN observed that the 26th clause only applied to cases in which the work was carried on over the land of a proprietor. The clause of the hon. Member applied to those in which it was carried over roads in front of a man's property.

Mr. ROLT said, he also saw a distinction between the two clauses. He wished, however, to ask whether the Committee were to understand that the right hon. Gentleman the President of the Board of Trade acceded to the proposition now before them.

Mr. MILNER GIBSON said, he saw no objection to the clause; but was unable to perceive any difference between the two clauses, except that the 26th clause was rather more stringent than that now proposed.

Mr. WALPOLE said, he thought the Bill and the Amendments ought to be reprinted before the Committee proceeded further, as the right hon. Gentleman the President of the Board of Trade could not see what appeared to him to be a plain distinction. The 26th clause only applied to cases in which property was directly interfered with. The clause now under consideration would reach cases in which it was injuriously affected.

Sir JOHN SHELLEY said, he was of opinion that the right hon. Gentleman the President of the Board of Trade should accept the clause, as he did not object to its principle.

Sir FRANCIS GOLDSMID suggested that further time should be given to hon. Members to consider the clause before they were asked to decide on its adoption or rejection.

Mr. MILNER GIBSON suggested that the clause should be withdrawn for the present, and promised that he would give the subject his attention before the Report.

Clause *withdrawn.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* 13th April, and to be *printed.* [Bill 75.]

OFFICE OF SECRETARY AT WAR ABOLITION BILL.

[BILL 72.] SECOND READING.

Order for Second Reading read.

Sir GEORGE LEWIS said, he rose to move the second reading of the Bill, the object of which was to abolish in name an office which had been in reality abolished during the period of the Crimean War. Before that time the duties of the War Department had been divided between the Secretary for War, who was also Secretary for the Colonies—the Secretary at War, who was always a Member of the House of Commons—the Board of Ordnance, and the Commissariat, the business of which was always transacted at the Treasury. Owing to the pressure produced on these Departments by the Crimean war, it was thought expedient to separate the office of Secretary of State for War from that of Secretary for the Colonies, and in the distinct office thus created was concentrated the whole business belonging to the War Department. The Board of Ordnance was abolished, the Commissariat was transferred to the War Office; but the office of Secretary at War, which had certain functions imposed on it by Act of Parliament, was still kept up and held by the Secretary for War under a separate commission. There were no separate duties to be discharged by the office, and no separate salary attached to it, and the object of the Bill was to abolish an office which for some time had had no duties to discharge.

Mr. HENNESSY said, that the office which it was proposed to abolish sprang from the Royal prerogative; and depended on it alone. The Bill was therefore an infringement of that prerogative. In the Act of 1858, with reference to a fifth Secretary of State for India, the preamble distinctly set forth that the provisions were to take effect only if Her Majesty should be pleased to appoint another Secretary. He held that a similar acknowledgment of the right of the Crown ought to be inserted in the present Bill. Last Session, the right hon. Gentleman set at naught the Royal prerogative in his measure on the subject of officers' commissions; and the Amendment which he suggested on that occasion, although not accepted by the House, was adopted in another place.

Bill read 2°, and *committed* for *Monday* 13th April.

OATHS RELIEF IN CRIMINAL PROCEEDINGS (SCOTLAND) BILL.

[BILL 74.] SECOND READING.

Order for Second Reading read.

Mr. CRAUFURD said, the object of the Bill was to extend to Scotland the English law in regard to relief from oaths in criminal proceedings. He moved that it be read a second time.

The SOLICITOR GENERAL said, there was no objection to assimilating the law of the two countries in this respect.

Bill read 2°, and *committed* for *Monday* 13th April.

LOCAL GOVERNMENT ACT (1858) AMENDMENT BILL—[Bill 69.]

SECOND READING.

Order for Second Reading read.

Sir GEORGE GREY said, that although the Local Government Act was originally intended only for populous towns, a great many very small places had availed themselves of it. It had been adopted, for instance, in twenty-two districts which had less than 100 inhabitants, and in 130 with between 100 and 500. Indeed, places with only seventeen, eighteen, twenty-three, twenty-five, and thirty-seven inhabitants respectively had passed resolutions for adopting it. The reason of that excessive fondness for the Act was, that those places where it was in force were exempted from the operation of the Highway Act. It was therefore adopted in many cases simply to evade the latter statute, and without any intention of carrying out the provisions of the Local Government Act. The object of the present Bill was to put a check on such proceedings. It provided that no places with less than 3,000 inhabitants should have absolute power to adopt the Act without control. Such places were required to make application to the Home Office for permission to avail themselves of the Act, stating the special grounds upon which they required it. The Secretary of State would be at liberty either to accede to the application, or, after an inquiry, on the spot to refuse it. The period of appeal was also extended from twenty-one days to six weeks. Places which had accepted the Act were empowered to abandon it voluntarily if they desired to do so. Another important clause provided, that if after adopting the Act any place of a population under 3,000 did not take steps within two months to appoint a local board, or, after that had been done, to elect the officers mentioned in the Act, then the adoption of the measure in that place should be void. The Bill had been framed in accordance with suggestions and requests from all parts of the country, and he hoped the House would agree to it. He moved that it be read a a second time.

Bill read 2°, and *committed* for *Monday,* 13th April.

SALMON FISHERIES (IRELAND) BILL.

[Bill 1.]

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [4th March], "That Mr. Speaker do now leave the Chair," and which Amendment was, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Lord Fermoy,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Captain ESMONDE moved that the debate be adjourned.

Colonel FRENCH said, it was clear that an attempt was being made to defeat the Bill by talking. He hoped the opponents of the Bill would consent to go into Committee *pro formâ,* and so relieve Mr.

Speaker from the disagreeable necessity of hearing the same arguments repeated *ad nauseam.*

Captain STACPOOLE said, he was also in favour of going into Committee.

Colonel WHITE said, he should oppose the Bill. He wished the matter to be settled, but he should oppose any Bill on the subject which was brought forward by the hon. and learned Member for Wexford.

Mr. M'MAHON said, he thought it was hardly becoming or decent for a Lord of the Treasury to make such a remark. The hon. and gallant Colonel was not even an Irish Member; he represented an English constituency, which had a great interest in buying Irish fish cheap, and he should be one of the last to oppose the progress of the Bill. It was evidently the object of some hon. Gentlemen to talk the Bill out of the House, but he would insist on a division, not with a view of making any progress in Committee, but in order that the Irish people might know who were for the Bill and who were against it. Should the House go into Committee that night, he would have no objection to postpone the further consideration of the Bill till after Easter.

Sir ROBERT PEEL said, he trusted that after the protracted discussion which had already taken place the House would go into Committee, so that after the recess the Bill might be fairly considered, with the various Amendments of which notice had been given. Too much had been said about private interests. He had no desire to interfere with the just and legal rights of individual proprietors; but Salmon Fisheries Bills having been passed for England and Scotland, there was no reason why the House should not legislate for Ireland also. The duty of the House was to watch over the public interests, and to pass such Bills as might be deemed fair or necessary.

Lord FERMOY suggested, that the debate should be adjourned, in order that the Irish Government might have an opportunity of considering whether they could not take the matter up and effect a compromise, as the right hon. Baronet the Chief Secretary for Ireland was the only likely authority to achieve that object; certainly the hon. and learned Member for Wexford was not the best person to do it.

Mr. MONSELL said, that if the right hon. Gentleman the Chief Secretary were to legislate on the subject, he could only do so by proposing Amendments in Committee. An adjournment of the debate would only lead to another discussion of six hours' duration, and a further repetition of the same arguments which had been already twice put forward.

Sir GEORGE GREY remarked, that the Government had no power to take the Bill out of the hands of the hon. and learned Member for Wexford. His right hon. Friend the Chief Secretary was ready to propose clauses in Committee, but he could do nothing more. He hoped the House would go into Committee, on the understanding that no progress should be made till after Easter.

Lord NAAS said, he approved the principle of the Bill, but was prepared to accept a compromise. A policy of obstruction never succeeded, in the end, in that House. All who took an interest in the subject felt that some legislation was necessary. Unless some means were taken to check the enormous over-capture of salmon in the Irish rivers, a permanent destruction of the fish must ensue. He hoped that that stage of the Bill would now be allowed to be taken.

Motion made, and Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 5; Noes 50: Majority 45.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Colonel WHITE said, he wished to make another Motion.

Mr. SPEAKER said, that it was incompetent for the hon. and gallant Member to do so.

Main Question put, and *agreed to.*

Bill *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* 27th April.

STOCK CERTIFICATES TO BEARER BILL.

LEAVE. FIRST READING.

The CHANCELLOR of the EXCHEQUER said, he rose to move for leave to introduce a Bill relative to stock certificates to bearer. At that late hour he would not enter into a lengthened explanation of the principles of the Bill, but would simply state that its object was to give additional facilities for holding and dealing in the public stocks, particularly with a view to a certain class of persons, who were in the habit of holding public stocks for the purpose of borrowing, and also on account of those who might desire to deal in or hold them, without having the advantage of a residence in London, the centre of all such transactions. The Bill would, he believed, be attended with great public convenience. One point might be referred to on the present occasion—namely, that he proposed to disable trustees from holding funds or public stocks in that particular form, and to confine them to the method of registry now in use. He should reserve to himself the right of making further statements and explanations on the second reading.

Leave given.

Bill to give further facilities to the Holders of the Public Stocks, *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER and Mr. PEEL.

Bill *presented*, and read 1°. [Bill 76.]

House adjourned at half after One o'clock.

APPENDIX.

DIVISION LIST *on the Second Reading of the* AFFIRMATIONS BILL, *Wednesday* 11 *March* 1863 (see page 1285).

AFFIRMATIONS BILL,—Order for Second Reading read; Motion made, and Question proposed, "That the Bill be now read a second time:"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Attorney General*:)—Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 96, Noes 142.

AYES.

Adair, H. E.
Adam, W. P.
Angerstein, W.
Ayrton, A. S.
Baring, T. G.
Barnes, T.
Bazley, T.
Beaumont, W. B.
Berkeley, hon. C. P. F.
Black, A.
Browne, Lord J. T.
Buller, Sir A. W.
Butler, C. S.
Buxton, C.
Carnegie, hon. C.
Clay, J.
Clifton, Sir R. J.
Cobden, R.
Coningham, W.
Cox, W.
Craufurd, E. H. J.
Crawford, R. W.
Davey, R.
Dodson, J. G.
Doulton, F.
Duff, M. E. G.
Dundas, F.
Evans, Sir De L.
Ewing, H. E. Crum-
Fenwick, H.
Forster, W. E.
Gibson, rt. hon. T. M.
Gilpin, C.
Glyn, G. C.
Goldsmid, Sir F. H.
Gower, hon. F. L.
Gower, G. W. G. L.
Greene, J.
Gregory, W. H.
Gregson, S.
Grenfell, H. R.
Hadfield, G.
Hanbury, R.
Hankey, T.
Hartington, Marquess of
Henley, Lord
Hibbert, J. T.
Ingham, R.
Jervoise, Sir J. C.
King, hon. P. J. L.
Kinglake, A. W.
Knatchbull-Hugessen, E
Layard, A. H.
Lawson, W.
Leatham, E. A.
Levinge, Sir R.
Lewis, H.
Locke, J.
Merry, J.
Mildmay, H. F.
Miller, W.
Morris, D.
North, F.
Ogilvy, Sir J.
Onslow, G.
Paget, C.
Pender, J.
Pilkington, J.
Pollard-Urquhart, W.
Ponsonby, hon. A.
Portman, hon. W. H. B.
Potter, E.
Pugh, D.
Raynham, Viscount
Roebuck, J. A.
Russell, A.
St. Aubyn, J.
Scholefield, W.
Seely, C.
Seymour, H. D.
Seymour, A.
Sheridan, H. B.
Sidney, T.
Smith, J. B.
Stanley, hon. W. O.
Stansfeld, J.
Stuart, Colonel
Taylor, P. A.
Tite, W.
Turner, J. A.
Verney, Sir H.
Wemyss, J. H. E.
Western, S.
Westhead, J. P. B.
Williams, W.
Wyvill, M.

TELLERS.

Sir J. Trelawny
Sir C. Douglas

NOES.

Adderley, rt. hon. C. B.
Addington, hon. W. W.
Agnew, Sir A.
Annesley, hon. Col. H.
Arbuthnott, hon. Gen.
Ashley, Lord
Baillie, H. J.
Baring, T.
Barttelot, Colonel
Bathurst, A. A.
Beecroft, G. S.
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Berkeley, hon. H. F.
Blackburn, P.
Blake, J.
Blencowe, J. G.
Bouverie, hon. P. P.
Bridges, Sir B. W.
Bruce, Major C.
Bruce, H. A.
Burghley, Lord
Burrell, Sir P.
Butt, I.
Cave, S.
Chapman, J.
Clive, Capt. hon. G. W.
Cobbett, J. M.
Codrington, Sir W.
Cubitt, G.
Cubitt, W.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dundas, rt. hon. Sir D.
Egerton, Sir P. G.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Elphinstone, Sir J. D.
Enfield, Viscount
Fane, Colonel J. W.
Farquhar, Sir M.
Foley, H. W.
Forde, Colonel
Fortescue, hon. F. D.
Gard, R. S.
Getty, S. G.
Goddard, A. L.
Greaves, E.
Grey, rt. hon. Sir G.
Griffith, C. D.
Grogan, Sir E.
Haliburton, T. C.
Hardy, G.
Hardy, J.
Hartopp, E. B.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Henley, rt. hon. J. W.
Henniker, Lord
Hesketh, Sir T. G.
Holland, E.
Hopwood, J. T.
Hornby, W. H.
Hotham, Lord
Hunt, G. W.
Johnstone, J. J. H.
Johnstone, Sir J.
Jolliffe, H. H.
Kekewich, S. T.
Kendall, N.
Kingscote, Colonel
Knatchbull, W. F.
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VOLUME CLXIX.

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On Motion of *Mr. Attorney General*, Select Committee appointed, to inquire into the condition and management of the Royal Forests in Essex, &c. *Mar* 3, 1039

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Main Question, as amended, agreed to

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l. Read 1ª* (*The Duke of Somerset*) *Feb.* 23
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Nominated *Mar.* 2:—Mr. Walpole, Sir F. Baring, Sir J. Pakington, Lord C. Paget, Sir J. Hay, Mr. Stansfeld, Sir J. Elphinstone, Mr. Ayrton, Sir H. Willoughby, Sir H. Verney, Sir W. Miles, Mr. Finlay, Mr. Maguire, Mr. Dodson, and Mr. Scourfield

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Feb. 12—For *Devizes*

Feb. 16—For *Bandon Bridge*, *Chichester*

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New Members sworn

Feb. 5—William Cubitt, esq., *Andover*; William Anderson Rose, esq., *Southampton*; John Pender, esq., *Totnes*; Henry Riversdale Grenfell, esq., *Stoke-upon-Trent*; Sir Edward Cholmely Dering, bart., *Kent* (*Eastern Division*); Alfred Seymour, esq., *Totnes*

Feb. 6—D. W. Pack Beresford, esq., *Carlow Co.*

Feb. 9—G. W. G. Leveson Gower, esq., *Reigate*

Feb. 13—F. S. Powell, esq., *Cambridge Borough*

Feb. 16—Lord George Manners, *Cambridge Co.*

Feb. 17—William Ferrand, esq., *Devonport*

Feb. 19—W. H. P. Gore Langton, esq., *Somerset* (*Western Division*)

Feb. 23—J. Abel Smith, esq., *Chichester*

Feb. 24—Hon. W. Wells Addington, *Devizes*

Feb. 26—J. Doherty Barbour, esq., *Lisburn*

Mar. 26—Marquess of Hartington, *Lancaster Co.* (*Northern Div.*)

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The Lords following; namely—L. Colville of Culross, L. Ponsonby, L. Colchester, L. Stanley of Alderley—appointed, with the Chairman of Committees, a Committee to select and propose to the House the Names of the Five Lords to form a Select Committee for the Consideration of each Opposed Private Bill, *Mar.* 2

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Committee nominated *Feb.* 26:—Mr. Monsell, Sir George Lewis, General Peel, Captain Jervis, Mr. Baring, Sir Frederic Smith, Mr. Dodson, Sir John Hay, Lord Robert Cecil, Mr. Laird, Major O'Reilly, Mr. Beecroft, Sir Morton Peto, and Mr. Vivian
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(*Mr. Scholefield, Mr. Murray, Mr. Stansfeld*)
Read 1° * *Feb.* 19
Second Reading moved (*Mr. Scholefield*) *Mar.* 24, 1869; Amendt. "upon this day six months" (*Mr. Buchanan*); After long Debate, Question, "That the word 'now' &c." put —A. 56, N. 39, M. 17
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- Army Estimates—Land Forces, Amendt. 1262, 1267, 1274;—Pay and Allowances, Amendt. 1276, 1277, 1279;—General Staff, 1426, 1429, 1431, 1446;—Medical Establishments, 1546;—Manufacturing Departments, 1759
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  - Correspondence in 1856 . . . No. [3097]
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l. Read 1ª* *Feb.* 20
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add. cl. (*Chancellor of the Exchequer*), added
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(*Mr. Massey, Visct. Palmerston, Sir G. Grey*)
c. Read 1º* *Feb.* 20
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l. Read 1ª* *Feb.* 26 (No. 24)
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Read 3ª*, and passed, *Mar.* 3
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Princess Alexandra, *Reception of*, see *Alexandra, Princess*

Printing
Select Committee appointed *Feb.* 16:—Members, Sir F. Baring, Mr. Bonham-Carter, Mr. Cardwell, Mr. Divett, Mr. S. Estcourt, Mr. Gaskell, Mr. Greene, Mr. Henley, Sir S. Northcote, The O'Conor Don, Sir J. Pakington, Mr. Peel, Mr. H. Russell, Mr. Walpole

Prison Discipline
Select Committee appointed *Feb.* 19, to consider and report on the present State of Discipline in Gaols and Houses of Correction (*Earl of Carnarvon*)
Committee:—Ld. President, D. Richmond, D. Marlborough, M. Salisbury, L. Steward, E. Carnarvon, D. Malmesbury, E. Romney, E. Cathcart, E. Ducie, E. Dudley, V. Eversley, L. Wodehouse, L. Wensleydale, L. Lyveden
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(*Mr. Somes, Mr. Pease*)
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Puller, Mr. C. W. G., *Hertfordshire*
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Main Question put, and agreed to; Bill read 2°
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Regent Circus Railway Bill
c. Second Reading moved *Mar.* 3, 1021; Amendt. "upon this day six months" (*Mr. H. Lewis*); After Debate, Question, "That 'now' &c." put, and negatived; Words added
Main Question, as amended, put, and agreed to; Bill put off for six months

Register of Voters Bill [Bill 25]
(*Mr. L. King, Mr. K. Seymer*)
c. Read 1º* *Feb.* 19; 2º* *Feb.* 24
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Main Question put, and agreed to; House in Committee
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(*Mr. Butt, Sir G. Bowyer*)
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l. Read 1ª* (*The Lord Stanley of Alderley*) *Mar.* 13 (No. 39)
Read 2ª, after short Debate, *Mar.* 16
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(*Sir G. Lewis, The Judge Advocate*)
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(*Mr. Adderley, Sir Stafford Northcote, Mr. Garnett*)
c. Read 1° *Feb.* 24, 785
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  Second Reading moved *Feb* 17, 401; Amendt. "upon this day six months" (*Mr. Dodson*); Question put, "That 'now' &c."—A. 111, N. 142, M. 11; Words added
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    Members:—Colonel Wilson Patten, Mr. Walpole, Mr. Henley, Mr. Wrightson, Mr. Herbert, Mr. Bramston, Mr. Bonham-Carter, Mr. Lefroy, Mr. Dunlop, Mr. Puller, and Mr. Edward Egerton

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  (*Sir J. Ogilvy, Sir J. Fergusson, Sir A. Agnew, Mr. W. Leslie*)
c. Read 1°* *Mar.* 17

Statute Labour Roads and Bridges (Scotland) Transfer Bill [Bill 64]
  (*Sir John Ogilvy, Mr. Kinnaird*)
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Stirling, Mr. W., *Perthshire*
  Italy—Affairs of Rome, 1416

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  (*Mr. Chancellor of the Exchequer, Mr. Peel*)
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  Army Estimates—Works, &c. at Home and Abroad, Amendt. 1773, 1777
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SUPPLY
Lords Commissioners' Speech consid.* *Feb.* 9; Motion, "That a Supply be granted to Her Majesty;" House in Committee to consider the said Motion, *Feb.* 10
Resolved, "That a Supply be granted to Her Majesty"
Resolution reported *Feb.* 11

Supply—Committee deferred *Feb.* 13

Supply considered in Committee *Feb.* 23, 669
NAVY ESTIMATES.
(1.) 76,000 Men and Boys (*Lord C. Paget*), 669
After long Debate, Vote agreed to
(2.) £2,921,951, Wages
(3.) £1,416,986, Victuals and Clothing
Resolutions reported *Feb.* 24

Supply considered in Committee *Feb.* 26
NAVY ESTIMATES.
(1.) £165,322, Admiralty Office, 818
After Debate, Vote agreed to
(2.) £299,695, Coast Guard Service, Royal Naval Coast Volunteers, and Royal Naval Reserve, 828
(3.) £71,961, Scientific Departments, 832
(4.) £183,316, Naval Establishments at Home, 833
(5.) £36,370, Naval Establishments Abroad
(6.) £1,112,878, Wages to Artificers, 835
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After Debate, Original Question agreed to, 840
(7.) £69,957, Wages to Artificers, &c. Abroad, 840
(8.) £1,334,051, Naval Stores, 840
Amendt. (*Sir M. Peto*), negatived, 840
Motion to report Progress (*Mr. Lindsay*)—A. 13, N. 74, M. 61, 844
Amendt. (*Mr. Lindsay*), 847; Motion withdrawn
Original Question agreed to
(9.) £857,349, Steam Machinery
Resolutions reported *Feb.* 27

Supply considered in Committee *Feb.* 27
Committee report Progress

Supply considered in Committee *Mar.* 5
NAVY ESTIMATES.
(1.) £433,298, New Works, Improvements, &c. 1109
(2.) £66,000, Medicines and Medical Stores
(3.) £99,370, Naval Miscellaneous Services
(4.) £719,341, Half Pay, &c.
(5.) £483,105, Pensions and Allowances
(6.) £194,932, Civil Pensions and Allowances
(7.) £270,150, Freight of Ships
Resolutions reported *Mar.* 6

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Supply considered in Committee *Mar.* 9, 1254
ARMY ESTIMATES.
Land Forces, 148,242 Men (*Sir G. Lewis*), 1262
Amendt. (*Mr. Williams*), 1270; On Question, A. 19, N. 77, M. 58, 1276
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£5,709,733, General Staff and Regimental Pay, &c. 1276
Amendt. (*General Peel*), 1276; On Question, A. 58, N. 64, M. 6, 1279
Amendt. (*Sir M. Peto*), 1279; On Question, A. 28, N. 96, M. 68, 1280
Original Question again proposed
Motion to report Progress (*Sir J. Trelawny*)—A. 25, N. 80, M. 55, 1283
Motion, "That the Chairman do now leave the Chair" (*Mr. White*), negatived, 1284
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Supply considered in Committee *Mar.* 12
Committee Report Progress

Supply considered in Committee *Mar.* 13, 1426
ARMY ESTIMATES.
(1.) £5,709,733, General Staff and Regimental Pay, &c. 1426
(2.) £1,223,936, Commissariat Establishment, 1446
Amendt. (*Mr. A. Mills*), 1446; After Debate withdrawn
Amendt. (*Mr. A. Mills*), 1456; On Question—A. 65, N. 71, M. 6
Original Question agreed to
(3.) £630,385, Clothing Establishments, 1457
Motion to report Progress (*Col. Dickson*), withdrawn, 1457
Amendt. (*Col. Dickson*), 1457; After short Debate, negatived
Original Question agreed to
Resolutions reported *Mar.* 16

Supply considered in Committee *Mar.* 16
ARMY ESTIMATES.
(1.) £635,637, Barrack Establishment, 1544
(2.) £46,097, Divine Service
(3.) £43,012, Martial Law, 1545
(4.) £255,993, Medical Establishments, 1546
(5.) £751,084, Disembodied Militia, 1547
(6.) £94,162, Yeomanry, 1547
Motion to Report Progress (*Lord Lovaine*), withdrawn; Vote agreed to
Resolutions reported *Mar.* 17

Supply considered in Committee *Mar.* 20
ARMY ESTIMATES.
(1.) £321,884, Volunteers, 1703
Amendt. (*Lord Lovaine*), 1704; After Debate, withdrawn; Vote agreed to
(2.) £55,847, Enrolled Pensioners and Army Reserve, 1709
£956,365, Manufacturing Departments, 1709
Amendt. (*Sir H. Willoughby*), 1710
Committee Report Progress
Resolutions reported *Mar.* 23

Supply considered in Committee *Mar.* 23
(1.) £956,365, Manufacturing Departments, 1757
Amendt. (*Sir H. Willoughby*); On Question—A. 45, N. 94, M. 49
Original Question agreed to

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Supply—cont.
(2.) £838,369, Warlike Stores, 1770
(3.) £810,941, Superintending Establishment of Works, Buildings, &c. 1770
Amendt. (*Sir H. Stracey*), 1774; Motion, being irregular, not put
Amendt. (*Mr. Baxter*), 1780; On Question—A. 43, N. 75, M. 32
Original Question agreed to
(4.) £172,201, Military Education, 1781
(5.) £85,441, Surveys, &c. 1781
(6.) £88,135, Miscellaneous Services, 1782
(7.) £213,177, Administration of the Army, 1783
(8.) £25,933, Rewards for Military Service
(9.) £77,782, Pay of General Officers
(10.) £464,895, Pay of Reduced and Retired Officers
(11.) £172,157, Widows' Pensions and Compassionate Allowances
(12.) £32,843, Pensions and Allowances to Wounded Officers
(13.) £33,776, In-Pensioners of Chelsea and Kilmainham Hospitals
(14.) £1,142,702, Out-Pensioners of Chelsea Hospital
(15.) £144,964, Superannuation Allowances, &c. 1786
(16.) £32,786, Disembodied Militia
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Supply—Civil Service Estimates—*Mar.* 25; Order for Committee; Debate arising thereon, Committee deferred, 1908
Supply considered in Committee *Mar.* 26, 1952
CIVIL SERVICE ESTIMATES.
(1.) £1,953, on account of certain Civil Services, 1952
(2.) £574,154, Customs Department, 1954
(3.) £1,351,771, Inland Revenue Department, 1955
(4.) £2,098,920, Post Office Services, &c. 1955
(5.) £515,796, Superannuations and Compensation Allowances, &c.
(6) £56,986, The Houses of Parliament, 1957
Votes (7.) to (52.)
"To complete the sums" for the several services named:—
(7.) £38,730, Treasury
(8.) £19,263, Home Office
(9.) £56,325, Foreign Office
(10.) £23,047, Colonial Office
(11.) £14,637, Privy Council Office
(12.) £47,181, Board of Trade, &c. 1958
(13.) £1,994, Privy Seal Office
(14.) £6,741, Civil Service Commission
(15.) £14,640, Paymaster General's Office
(16.) £2,923, Department of the Comptroller General of the Exchequer
(17.) £22,857, Office of Works and Public Buildings
(18.) £19,839, Office of Woods, Forests, and Land Revenues
(19.) £15,235, Office of Public Records, &c.
(20.) £157,424, Poor Law Commissions
(21.) £37,901, Mint
(22.) £19,610, Inspectors of Factories, &c.
(23.) £4,316, Exchequer and other Offices in Scotland
(24.) £2,445, Household of the Lord Lieut. of Ireland.
(25.) £11,580, Offices of the Chief Secretary for Ireland
[*cont.*

Supply—cont.
(26.) £2,752, Inspectors of Lunatic Asylums, Ireland.
(27.) £16,314, Office of Public Works, Ireland
(28.) £25,060, Commissioners of Audit
(29.) £14,351, Copyhold, Inclosure, and Tithe Commission
(30.) £10,090, Inclosure and Drainage Acts; Imprest Expenses
(31.) £35,511, General Register Offices
(32.) £10,982, National Debt Office
(33.) £2,910, Public Works Loan and West India Islands Relief Commissions
(34.) £5,111, Lunacy Commissions
(35.) £1,223, General Superintendent of County Roads, South Wales, 1961
(36.) £2,374, Registrars of Friendly Societies
(37.) £12,243, Charity Commission
(38.) £4,495, Office in London under the Local Government Act, &c.
(39.) £2,342, Agricultural and Emigration Statistics (Ireland)
(40.) £1,193, Landed Estates Record Offices
(41.) £1,098, Quarantine Expenses
(42.) £24,000, Foreign and other Secret Services, 1961
Motion to report Progress (*Mr. W. Williams*), withdrawn
Original Question agreed to
(43.) £244,139, Printing and Stationery, 1962
(44.) £90,025, Postage of Letters on the Public Service
(45.) £9,662, Treasury Chest
(46.) £6,500, Expedition to the Niger (*Dr. Baikie*), 1963
Motion to report Progress (*Col. Sykes*), withdrawn
Original Question agreed to
(47.) £66,000, Bounties on Slaves, &c.
(48.) £6,950, Mixed Commissions
(49.) £116,462, Superannuation and Retired Allowances, 1965
(50.) £744, Toulonese and Corsican Emigrants, &c.
(51.) £325, Refuge for the Destitute
(52.) £1,966, Polish Refugees and Distressed Spaniards, 1966

(53.) £55,700, Merchant Seamen's Fund Pensions
(54.) £10,400, to complete the sum for Relief of Distressed British Seamen Abroad
(55.) £2,625, to complete the sum for Miscellaneous Allowances formerly on Civil List, &c.
(56.) £1,451, to complete the sum for Public Infirmaries (Ireland)
(57.) £1,600, to complete the sum for the Westmoreland Lock Hospital
(58.) £700, Rotunda Lying-in Hospital
(59.) £200, Coombe Lying-in Hospital
(60.) £4,600, to complete the sum for the House of Industry, Dublin
(61.) £1,500, to complete the sum for the Cork Street Fever Hospital
(62.) £600, Meath Hospital
(63.) £100, St. Mark's Ophthalmic Hospital
(64.) £1,300, Dr. Steevens' Hospital
(65.) £245, Board of Superintendence of Dublin Hospitals
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Supply—cont.
(66.) £5,847, to complete the sum for the Concordatum Fund
(67.) £25,278, Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland, 1966; A. 53, N. 26, M. 27
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(*Mr. M. Gibson, Mr. Hutt*)
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cl. 3 agreed to, 1648
cl. 5, Amendt. (*Lord A. Churchill*), negatived; *cl.* agreed to, 1648
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Debate arising, Committee report Progress
Considered in Committee *Mar.* 23, 1788
cl. 7, Amendt. (*Mr. Blackburn*), 1788; Question put, "That those words be there inserted"—A. 45, N. 67, M. 22; *cl.* agreed to
cl. 8, 1790; Amendt. (*Mr. Dalglish*), agreed to; *cl.* agreed to
cl. 10 agreed to, 1791
Committee report Progress
Considered in Committee *Mar.* 26, 1970
cl. 16, Amendt. (*Mr. Blackburn*), negatived; *cl.* agreed to, 1970
cl. 18, Amendt. (*Mr. Henley*), agreed to; *cl.* agreed to, 1971

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cl. 23 agreed to, 1972
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cl. 26, Amendt. (*Mr. Henley*) agreed to, 1974; *cl.* agreed to
add. cl. (*Mr. Dalglish*), negatived, 1978
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add. cl. (*Mr. Dillwyn*), withdrawn, 1979
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Thames Conservancy Bill
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Thames Conservancy, &c.
On Motion of *Mr. Hutt*, Select Committee appointed *Mar.* 19, "to inquire into the operation of the several Acts of Parliament relating to the Conservancy of the River Thames, to the Buoyage, Beaconage, and Ballastage of that River from Staines to Yantlet Creek, and to the regulation of vessels navigating or plying on the River between the aforesaid limits" (*Mr. Hutt*), 1649
Committee nominated *April* 16:—Mr. Hutt, Lord Mayor of London, Sir J. Hanmer, Mr. W. Wood, Mr. J. Ewart, Mr. Ald. Salomons, Mr. Longfield, Mr. Locke, Mr. Cave, Mr. Somes, Mr. R. Hodgson, Mr. Lindsay, Mr. Blackburn, Mr. Shafto, and Mr. Cubitt

Thames Embankment (*North Side*) *Bill* [Bill 23]
(*Mr. Cowper, Mr. Peel*)
c. Read 1° *Feb.* 16, 348
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Committee nominated *Mar.* 17:—Mr. Cowper, Mr. William Cubitt, Mr. Bramston, Mr. Tite, Mr. Western Wood, Mr. Ayrton, and Five Members to be nominated by the Committee of Selection
Mr. W. Wood *disch.*, Mr. Crawford *added*, *Feb.* 18

Thames Embankment (*South Side*) *Bill* [Bill 65]
(*Mr. Cowper, Mr. Peel*)
Read 1°, after Debate *Mar.* 17, and referred to the Examiners of Petitions for Private Bills, 1584

THOMPSON, Mr. H. S., *Whitby*
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THYNNE, Lord H. F., *Wiltshire, S.*
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Tobacco Duties Bill [Bill 21]
(*Mr. Massey, Chancellor of Exchequer, Mr. Peel*)
c. Read 1° * *Feb.* 16
Second Reading moved (*Mr. Chancellor of the Exchequer*) *Feb.* 23, 706; Amendt. for a Select Committee (*Mr. Ayrton*), 707
Motion, "That the Debate be now adjourned" (*Mr. Cox*)—A. 46, N. 90, M. 44, 714
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Debate adjourned
Debate resumed *Feb.* 27, 946; After long Debate, Motion, "That the Debate be now adjourned" (*Dr. Brady*)—A. 71, N. 137, M. 66, 958
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Debate resumed *Mar.* 2, 980; After long Debate, Amendt. withdrawn
M. Q. put, and agreed to; Bill read 2°, 1001
Order for Committee *Mar.* 5; After short Debate, Committee deferred, 1114
Bill considered in Committee, and reported, *Mar.* 9, 1285
Question, Mr. Crawford; Answer, The Chancellor of the Exchequer, 1468
Order for Comm. (on Re-Commitment) *Mar.* 19; Motion, "That Mr. Speaker do now leave the Chair," 1608; Amendt. for a Select Committee (*Mr. Ayrton*), 1611; Question put, "That the words &c."—A. 170, N. 87, M. 83, 1616; Main Question put, and agreed to
Bill considered in Committee
cl. 1 (Duties on Manufactured Tobacco), after Debate, amended, and agreed to, 1616
Remaining Clauses agreed to; Bill reported
Considered as amended *Mar.* 23, 1787; Amendt. (*Mr. Chancellor of the Exchequer*), agreed to
Read 3° * *Mar.* 24
. Read 1ª * *Mar.* 24
Read 2ª * *Mar.* 26; Committee negatived; Standing Orders Nos. 37 and 38 dispensed with; Bill read 3ª *, and passed *Mar.* 26
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(*Mr. Villiers, Mr. Gilpin*)
c. Read 1° *Feb.* 12, 267
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Question, Mr. Cobden; Answer, Mr. C. P. Villiers, 798
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